

Application No. 17/00445/FULL

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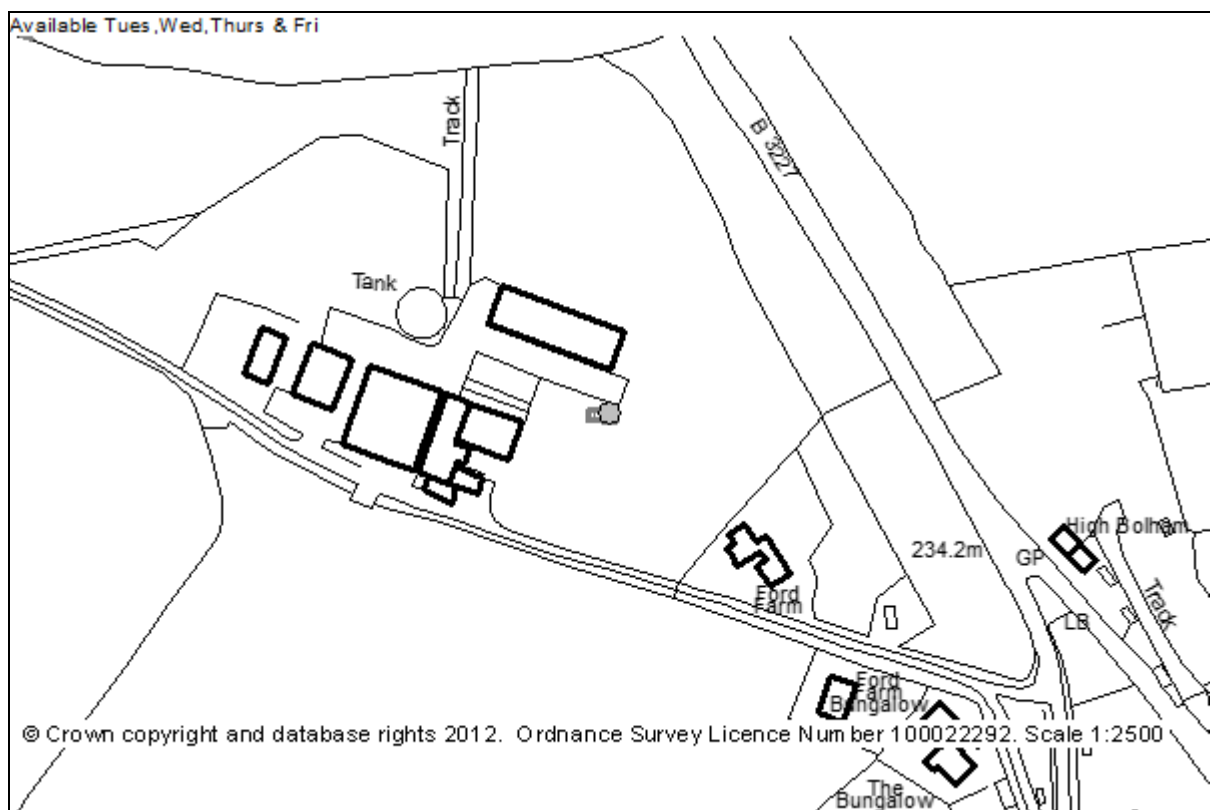
Grid Ref: 289905 : 122292

Applicant: Mr Peter Vlasto

Location: Land and Buildings at NGR 289905 122292 (Ford Farm)
Oakford
Devon

Proposal: Installation of 16 ground mounted solar photovoltaic panels with wire stock proof fencing

Date Valid: 15th August 2017



REPORT OF THE HEAD OF PLANNING AND REGENERATION

**17/00445/FULL - INSTALLATION OF 16 GROUND MOUNTED
SOLAR PHOTOVOLTAIC PANELS WITH WIRE STOCK PROOF
FENCING - LAND AND BUILDINGS AT NGR 289905 122292 (FORD
FARM) OAKFORD DEVON**

Reason for Report

This application is to be determined by the Planning Committee as it relates to the installation of solar panels.

RECOMMENDATION(S)

Planning Permission granted subject to conditions as set out in this report.

Relationship to Corporate Plan

Managing the environment

Financial Implications

Should the application be refused and appeal submitted to the Planning Inspectorate there is a risk of an award of costs against the Local Planning Authority if it were found to have behaved unreasonably.

Legal Implications

The refusal of the application, or failing to comply with the planning conditions imposed on any grant of planning permission would result in Enforcement action being undertaken.

Risk Assessment

None identified.

Consultations carried out with

1. Highway Authority
2. Environment Agency
3. Rackenford and Creacombe Parish Council
4. North Devon Council
5. East Anstey Parish Council
6. Oakford Parish Council
7. Bampton Town Council
8. Stoodleigh Parish Council

Representations received

None received

Applicants Supporting Information

Application form
Plans

PROPOSED DEVELOPMENT

Installation of 16 ground mounted solar PV panels with wire stock proof fencing. It is proposed to install the panels in a single array in the field to the east of the farm buildings and between the farm buildings and the farmhouse. The siting of the array is immediately southeast of the farm buildings and within 2m of the southeast corner of one of the existing buildings. The array would be approximately The field within which the panels are proposed is not overly large and is used for grazing livestock. It is proposed to erect a 1 metre high stock proof fence around the array. The northern, eastern and southern boundaries of the field are mature hedging. The access to the farm buildings runs parallel to the southern boundary of the field.

Planning History

No relevant Planning History

CONSULTATIONS

Highway Authority - No response received.

Environment Agency - No response received

Rackenford and Creacombe Parish Council - 6th September 2017 - No comments

North Devon Council - 25th August 2017 - The development by virtue of its small scale, position and surrounding landscape would not result in any impact to land within North Devon Councils boundary.

East Anstey Parish Council - No response

Oakford Parish Council - No response

Bampton Town Council - No response

Stoodleigh Parish Council - No response

DEVELOPMENT POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR5 - Climate Change

COR18 – Countryside

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design

DM5 - Renewable and low carbon energy

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The application site lies approximately 52m to the west of the farmhouse and immediately south east of the existing farm buildings at Ford Farm. The farmhouse is not a listed building and is of modern design and construction. The farmhouse sits within its own garden area and has a hedgerow boundary between it and the adjoining fields. The application site is part of an agricultural field used for grazing livestock.

The site is accessed from a private driveway that connects to the public highway just south

of the junction with the B3227 which is north east of Ford Farm. The access serves both the farmhouse and beyond that the farm buildings. It is understood that there is a further property (holiday let) also much further west along the same driveway. There are no views of the proposed development from the highway due to the topography of the land, and mature hedging. The array would be visible from any first floor windows of the farmhouse with a view to the north or east. There would be very limited views of the PV array from the private driveway that serves the farmhouse and buildings due to mature hedging, the topography.

The field within which the array is proposed is enclosed by mature hedging and this reduces the impact of the proposal on the visual amenity and character of the surrounding area. The array is also very closely grouped with the farm buildings. There would be very limited public views of the PV array due to its position immediately southeast of the farm buildings. The farm buildings would mostly screen any view of the PV array from the B3227 to the north.

The key policy tests for the application are set out in policies COR5 and COR18 Mid Devon Core Strategy and in policies DM2 and DM5 Local Plan Part 3 (Development Management Policies).

Policy COR18 strictly controls development outside settlements only allowing for developments that enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. At criteria f, the policy allows for renewable energy developments. This approach to renewable energy developments is also found in policy COR5 which states that the development of renewable energy capacity will be supported in locations with an acceptable local impact, including visual, on nearby residents and wildlife. The requirements of strategic policies COR5 and COR18 are echoed in policy DM5 Local Plan Part 3: Development Management Policies.

DM5 states "proposals for renewable or low carbon energy will be permitted where they do not have a significant adverse impact on the character, amenity, and visual quality of the area, including cumulative impacts of similar developments within the parish or additional parishes. Where significant impacts are identified through environmental impact assessment, the council will balance the impact against the wider benefits of delivering renewable and low carbon energy, considering:

- a) Landscape character and heritage assets
- b) Environmental amenity of nearby properties in accordance with Policy DM7
- c) Quality and productivity of the best and most versatile agricultural land (grades 1, 2 and 3a)
- d) Biodiversity (avoiding habitat fragmentation)"

The very limited scale of the proposal, its proximity to the farm buildings and the presence of mature hedges on the field boundaries that will prevent it from being very visible from the wider public realm, will prevent the proposal from having a significant adverse impact on the character, amenity or visual quality of the area.

The installation will make use of a small area of the field. Although there will be a very small area of agricultural land no-longer in use for agriculture, the location of the proposed array is situated to minimise its impact on any possible farming activities, and so reduce any loss of grazing land.

Policy DM2 (e) requires that development does not have an unacceptably adverse effect on the privacy or amenity of the neighbouring properties or uses. The nearest neighbouring dwelling is approximately 110m to the south east of the proposed site. The PV array is unlikely to be visible from this property due to the intervening field boundary hedges, the

boundary treatments of the dwelling itself and because of the slight topographical differences between the application site and this neighbouring dwelling. It is not considered that the proposal will have any adverse effect on the living conditions of the occupiers of this or any other nearby dwellings and the proposal is therefore in accordance with policy DM2 Local Plan Part 3 (Development Management Policies).

SUMMARY

Given the small scale and nature of the proposal it is not considered that it will result in any adverse visual amenity, landscape character or other environmental impact and taking into account the benefits of creating renewable energy, it is recommended that planning permission is granted. The introduction of the solar PV array to the field is therefore considered to be acceptable and in accordance with COR5 and COR18 of the Local Plan Part 1 (Mid Devon Core Strategy) and policies DM2 and DM5 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework (NPPF).

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. The Photovoltaic Array hereby approved, shall be used only for the production of electricity. On it's becoming redundant for such purpose, it shall be demolished, and all materials resulting from the demolition shall be removed from the site within 6 months of the date this occurs.
4. Cables connecting the proposed solar array to Ford Farm farmhouse shall be placed underground.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the rural character of the area in accordance with Policy COR18 of Mid Devon Core Strategy 2007.
4. In order to safeguard the visual amenity of the area in accordance with Policy DM5 of the Local Plan Part 3 (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application proposal is for the erection of a small scale photovoltaic array comprising 16 panels (as one array) in an agricultural field to the south east of existing farm buildings at Ford Farm and west of the farmhouse. The introduction of the solar PV array into the field is not considered to have an adverse impact on the landscape and character of the area or any nearby heritage assets, adversely affect the environmental and visual amenities of any nearby residential property, adversely affect the availability of productive agricultural land or adversely affect local habitats within the site and surrounding area. The development is therefore considered to be in accordance with policies COR5 and COR18 of the Mid Devon

Core Strategy (LP1), policies DM2 and DM5 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework (NPPF).

Author and Contact for any more information

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Background Papers

None

File Reference

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Circulation of the Report

Cllrs Richard Chesterton
Members of the Planning Committee