

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	01/07/2021
Planning Development Manager authorisation:	TF	01/07/2021
Admin checks / despatch completed	DB	01.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	01.07.2021

Application: 21/00825/FUL **Town / Parish:** Alresford Parish Council

Applicant: WSM Farming

Address: Alresford Hall Ford Lane Alresford

Development: Proposed siting of ground mounted solar array

1. Town / Parish Council

Alresford Parish Council No objection to this application.
02.06.2021

2. Consultation Responses

ECC Highways Dept
29.06.2021

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated March 2021. It is noted that the application is for the siting of a free-standing solar array to provide power to an approved set of new electric powered gates. The proposed array is to be sited on agricultural land to the north west corner of the Estate, adjacent to the existing private driveway.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. Prior to the first use of any external solar panel within the development site, shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that users of the highway are not subjected to glare and dazzle from within the development in the interest of highway safety and in accordance with Policy DM1.

The above condition is to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Essex County Council
Heritage
11.06.2021

The application is for proposed siting of ground mounted solar array.
ECC Heritage have no objection to this application.

3. Planning History

01/00154/FUL	New private drive and entrance wall/piers to Alresford Hall and the estate	Approved	25.04.2001
91/00962/FUL	Change of use of private residence to residential home for the elderly plus new sewage treatment plant.	Approved	15.10.1991
96/00927/LBC	Repairs and renovations as per schedule of works	Approved	03.03.1997
04/00910/FUL	Erection of lean-to extension, chimney and enclosure of existing covered way	Approved	25.06.2004
04/00911/LBC	Erection of lean-to extension, chimney and enclosure of existing covered way	Approved	25.06.2004
04/01125/FUL	Erection of brick wall in kitchen garden	Approved	10.12.2004

04/01204/LBC	Erection of brick wall in kitchen garden		29.11.2004
05/00444/FUL	Renovation, conversion and change of use of barn to form two dwellings and all ancillary works.	Approved	01.06.2006
05/00472/LBC	Renovation, conversion and change of use to form two dwellings.	Approved	01.06.2006
83/00006/FUL	Dwelling house	Approved	12.04.1983
83/00219/FUL	Continued use and extn of part as wholesale nursery garden, retention of two multispan polythene tunnels	Approved	12.04.1983
88/01172/FUL	Retention of polythene tunnels and potting shed related to horticultural nursery (part of renewal of 83/00219/FUL)	Approved	09.08.1988
93/00001/AGRIC	Agricultural Glasshouses	Determination	18.02.1993
10/01245/FUL	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	24.01.2011
10/01246/LBC	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	24.01.2011
11/00403/FUL	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	13.06.2011
11/00406/LBC	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	31.05.2011

11/01305/FUL	Installation of 10kw ground mounted solar pv system.	Approved	04.01.2012
12/01328/FUL	Installation of community biomass system, to include a new plant room/fuel store building.	Approved	17.01.2013
12/01329/LBC	Installation of community biomass system, to include a new plant room/fuel store building.	Approved	
19/01856/FUL	Proposed farm diversification to create a childrens adventure play-land within Alresford Hall Farm	Approved	17.08.2020
20/01151/DISCON	Discharge of condition 7 (reptile mitigation) of approved application 19/01856/FUL.	Approved	08.09.2020
20/01404/DISCON	Discharge of conditions 2 (gates) and 3 (walls and piers) of approved application 01/00154/FUL.	Approved	08.12.2020
20/01523/FUL	Proposed swimming pool in the south side of the walled gardens. Proposed repair of walls, the raising of the east wall, a flight of brick steps, and the reinstatement of the original and new gates to the existing openings of the garden. (Part retrospective.)	Approved	19.03.2021
20/01524/LBC	Proposed swimming pool in the south side of the walled gardens. Proposed repair of walls, the raising of the east wall, a flight of brick steps, and the reinstatement of the original and new gates to the existing openings of the garden. (Part retrospective.)	Approved	19.03.2021
20/01603/DISCON	Discharge of conditions 3 (Materials), 5 (Play Equipment), 8 (Biodiversity Enhancement Layout), 9 (Lighting), 11 (Construction Traffic Management Plan), 20 (Mitigation Strategy), 21 (Contamination), 22, 25 and 26 (Foul and Surface Water) of approved planning application 19/01856/FUL.	Current	
21/00060/AGRIC	Proposed development for the creation of a concrete pad for agricultural use.	Determinati on	08.02.2021
21/00653/DISCON	Discharge of condition 3 (Brick Material, Mortar Mix, Profile and Finish) of approved planning	Approved	21.06.2021

	application 20/01523/FUL	
21/01103/DISCON	Discharge of condition 4 (Archaeological Investigation Report) of approved application 20/01523/FUL.	Current
21/01136/FUL	Variation of condition 2 (Approved Plans) of application 19/01856/FUL to substitute a revised site layout plan, and elevations, for a redesign of the main building to remove the galleon ship feature and install as a standalone play feature alongside, along with other minor updates to the siting of play areas.	Refused

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

EN1 Landscape Character

EN13A Renewable Energy

EN23 Development Within the Proximity of a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

Relevant Section 1 Policies (adopted)

SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)

PP13 The Rural Economy

PPL9 Listed Buildings

PPL10 Renewable Energy Generation

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site relates to Alresford Hall, Ford Lane, Alresford. The proposed site area is within the grounds of a Grade II Listed Building. The application site is located outside the settlement development boundary.

Description of Proposal

This application proposes the siting of ground mounted solar array. The dimensions of the array are 6.9 metres in length x 1.626 metres in width, comprising of 8 individual solar panels mounted into a steel frame, which will be bolted directly to the ground using ground screws. The frame is mounted at a 45 degree angle with a total height of 1.626 metres.

Assessment

1. Layout, Scale and Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policy QL11 aims to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context.

The landscape is the result of both natural and man-made processes, including historic patterns of settlement. A policy approach based on landscape character assessment enables informed judgements to be made on what is and what is not appropriate development within a particular

local landscape. Policy EN1 is therefore particularly concerned with the role of settlement and built development in the landscape. It focuses upon maintaining and enhancing landscape quality and local distinctiveness with the protection of the historic environment including the built heritage as a high priority. It identifies important natural features and views, and the individual character, identity, pattern and setting of settlement within the landscape. It is intended to complement specific landscape or countryside designation policies where these exist in the Tendring District Local Plan 2007.

Whilst this Policy will primarily apply to development proposals in the countryside and on the edge of settlements, any development proposal which could visually detract from key landscape or settlement characteristics of its surroundings would be considered contrary to Policy EN1.

The quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced. Any development which would significantly harm landscape character or quality will not be permitted.

Overall, the height, length and depth of the solar array is relatively modest and due to its siting, would have a negligible impact on the rural characteristics of the area.

2. Renewable Energy

Policy EN13a of the Adopted Local Plan states planning permission will be granted for development proposals for renewable energy generation, subject to there being no material adverse impact on the location environment in relation to noise, vibration, smell, visual intrusion, residential amenity, landscape characteristics, biodiversity, culture heritage, the water environment, the treatment of waste products and highway and access considerations. The sentiments of this policy are carried forward within Policy PPL10 of the Emerging Local Plan, where it states proposals for new renewable energy schemes will be considered having regard to their scale, impact and the amount of energy which is to be generated. Proposals for new development should consider the potential for renewable energy generation, appropriate to the site and its location, and should include renewable energy installations, or be designed to facilitate the retro siting of renewable energy installations.

This approach is supported in the National Planning Policy Framework which states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. It is therefore clear that the planning system should facilitate the transition to a low carbon economy by, amongst other things, maximising renewable energy development. The NPPF does however state that the adverse impacts of renewable energy generation need to be addressed satisfactorily. It is the impacts of proposals for renewable energy generation that need to be considered rather than the principle of such development in the countryside.

For the reasons given above in regards to the built-parameters, the siting and negligible impact on the rural nature of the area the proposal is considered to result in an appropriate form of renewable energy in the countryside.

3. Impact upon Neighbouring Amenities

Due to the rural location of the application site, the proposed solar array is not considered to cause any impact upon neighbouring amenities.

4. Highway Safety

Essex Highway Authority have been consulted on this application and have stated that no site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated March 2021. It is noted that the application is for the siting of a free-standing solar array to provide power to an

approved set of new electric powered gates. The proposed array is to be sited on agricultural land to the north west corner of the Estate, adjacent to the existing private driveway. The highway authority have no objection subject to conditions relating to positioning of the solar array.

5. Heritage Impact

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by saved policy EN23 of the Tendring District Local Plan (2007) and emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respects the listed building and its setting.

Place Services Essex County Council Historic Environment Manager has been consulted on this application and has no objection.

Therefore, there is not considered to be significant harm identified to the setting of the Listed Building, and the proposals are therefore acceptable against this criteria.

6. Other Considerations

Alresford Parish Council have no objection to this application.

No letters of representation have been received.

6. **Recommendation**

Approval - Full

7. **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 requirements 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:

- Drawing No. 001
- Drawing No. 002
- Drawing No. 003
- Technical Data Sheet - scanned 06 May 2021

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the first use of any external solar panel within the development site, shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that users of the highway are not subjected to glare and dazzle from within the development in the interest of highway safety

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways

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3: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO