

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	RC	16/08/2023
Planning Manager / Team Leader authorisation:	ML	08/09/2023
Planning Technician final checks and despatch:	ER	08/09/2023

**Application:** 23/00658/FULHH **Town / Parish:** Alresford Parish Council

**Applicant:** Mr Paul Jeffery

**Address:** Alresford Lodge Ford Lane Alresford

**Development:** Proposed solar panel installation in the ground of the property.

### **1. Town / Parish Council**

Alresford Parish Council At the Full Parish Council Meeting held on Wednesday 5th of July, it was proposed with a majority decision to support the application.

6 councillors voted to support, 3 voted for a Neutral response and one councillor abstained

### **2. Consultation Responses**

Essex County Council  
Heritage  
14.08.2023

The application is for proposed solar panel installation in the ground of the property.

The proposal site is within the setting of Grade II Listed Alresford Lodge.

A site visit has been carried out as part of a previous planning application and the potential suitability of the proposal site for the installation of ground mounted solar panels has been discussed with the agent.

Due to the topography of the proposal site and distance from the designated heritage asset, there would be very limited intervisibility between Alresford Lodge and the solar arrays. The presence of mature woodland and native hedgerow also provides the opportunity to further screen the proposed solar arrays with additional planting to match the existing. In addition, the height of the proposed panels has been further reduced following an initial consultation.

The proposed development is therefore not considered to affect those elements of the setting which contributes to the significance of Alresford Lodge as designated heritage asset, and which better reveal its significance.

There is no objection to this application.

Essex County Council  
Archaeology

The proposed development lies within an area recorded on the Essex Historic

07.08.2023

Environment Record as containing potential archaeological remains recorded as cropmark features from aerial photographic evidence. The proposed location of the solar panels is not within close proximity to any recorded cropmark features and is limited in extent. There is unlikely to be any significant impact on archaeological remains from the proposed development and there is no objection to the application.

### 3. Planning History

81/01545/FUL	Caravan (Temporary)	Approved	29.12.1981
07/01323/LBC	Loft conversion, minor internal and external alterations, sun lounge to west elevation refurbishment and rebuilding of various outbuildings to form ancillary accommodation and facilities.		24.10.2007
07/01381/FUL	Loft conversion, minor internal and external alterations, sun lounge to west elevation refurbishment and rebuilding of various outbuildings to form ancillary accommodation and facilities.		24.10.2007
07/02046/LBC	Loft conversion, minor internal remodelling, and minor exterior alterations to Alresford Lodge. Addition of sunroom to west elevation. Refurb and rebuilding of various outbuildings to form ancillary accommodation and facilities.	Approved	15.02.2008
07/02050/FUL	Loft conversion, minor internal remodelling, and minor exterior alterations to Alresford Lodge. Addition of sunroom to west elevation. Refurb of various outbuildings to form ancillary accommodation and facilities.	Approved	15.02.2008
08/01381/FUL	Erection of one L shaped Cartlodge and workshop/study. Erection of one two-bay Cartlodge with log store. Erection of single storey side extension to granary building. Erection of extension with basement area to re-built 'bull-barn'. Addition of small 'lean-to' to rear of stable block extension. Creation of basement area to 'Long Barn'. As amended by drawing No. 41105.101 RevA received on 14th	Approved	09.12.2008

	November 2008 and drawing No.'s 41105.210 RevC and 41105.211 RevC received on 5th December 2008.		
08/01383/LBC	Single storey extension to existing granary building. Creation of basement area to 'long barn'. Addition of small 'lean-to' to rear of stable block extension, as amended by drawing No. 41105.101 RevA received on 14th November 2008 and drawing No.'s 41105.210 Rev C and 41105.211 Rev C received on 5th December 2008.	Approved	09.12.2008
08/01385/LBC	Ground floor: formation of 3 no. openings in internal walls on ground floor and one new opening to an internal wall on the first floor. Enlargement of an existing window aperture in the West elevation to create a new doorway. Removal of modern lintel from internal doorway. Insertion of new timber studwork internal wall infilling of existing internal doorway. Laying of new floor over existing in room at Northwest corner. As amended by drawing no. 41105.101 Rev A received on 14th November 2008.	Approved	08.12.2008
08/01386/LBC	Demolition of existing four bay open fronted Cartlodge, as amended by drawing no. 41105.101 Rev A received on 14th November 2008.	Approved	08.12.2008
09/00294/FUL	Erection of detached greenhouse building; erection of detached cart-lodge (alterations to cart-lodge previously approved under 08/01381/FUL); and insertion of dormer window to Alresford Lodge, as amended by drawing no. 41105.215 Rev F and amplified by drawing no. 41105 704.11 received on 12th May 2009.	Approved	21.05.2009
09/00295/LBC	Insertion of 1 no. dormer window to north facing roof slope, and insertion of stud partition to attic space.	Approved	21.05.2009
09/00847/LBC	Alteration of existing ground floor window with the elongation of existing window aperture and	Approved	05.10.2009

introduction of Georgian style glazed door (amendment to 08/01385/LBC).

09/01116/FUL	<p>Erection of a 1.6 metre supporting wall to Cart Shed, including section of 1.5m trellis on top of edging to include gateway to bin store.</p> <p>Erection of tennis court fencing and walling surround and erection of additional netting (black chain link and metal posts) to wall area of tennis court. Erection of 4 x 4000 ltr underground gas tanks positioned north of new barn. Erection of 6500 litre underground irrigation tank.</p> <p>Erection of trellis to kitchen garden and 3 gates. Erection of 5 replacement gateways (to include main entrance with pedestrian access, secondary entrance near cart shed, 2 no. farm gates - north end of site, and gateway adjacent to stable block. Erection of cattle grid in main driveway (adjacent to new barn). Erection of retaining wall to west side of outdoor pool area. Erection of air conditioning units to be installed east side of granary with a proposed extended terrace area and retaining wall to accommodate. Erection of brimming pool to south side of new barn. Erection of water feature with railings adjacent to glass roofed area (north side of new barn). Erection of rill running from new barn to stable block. Erection of post and rail fencing (to part north and western boundaries). Erection of rabbit fencing around site. Erection of posts (1.1m) with rope and mesh fencing to upper pond area. (All retention works).</p>	Approved	01.02.2010
09/01119/LBC	<p>Retention of 4 external CCTV cameras to Alresford Lodge.</p> <p>Replacement of main staircase spindles and handrail (previously replaced in the 1980's).</p>	Approved	22.12.2009
09/01120/LBC	<p>Rebuild/repair walling to main west boundary. Rebuild/repair walling to front of Alresford Lodge (north boundary). Rebuild/repair of rear chimney stack (south side).</p> <p>Erection of acoustic fencing with gateway and 1.5m retaining wall. Steps from basement of orangery and balustrade.</p>	Approved	23.12.2009

09/01121/FUL	Rebuild/repair walling to main west boundary. Rebuild/repair walling to front of Alresford Lodge (north boundary). Rebuild/repair of rear chimney stack (south side). Erection of acoustic fencing with gateway and 1.5m retaining wall. Steps from basement of orangery and balustrade.	Approved	23.12.2009
11/00217/FUL	Rebuild/repair walling to eastern boundary, adjacent to tennis court.	Approved	18.04.2011
11/00218/LBC	Rebuild/repair walling to eastern boundary, adjacent to tennis court.	Approved	18.04.2011
11/01293/FUL	Erection of stables.	Approved	21.12.2011
14/00989/FUL	Erection of stables.	Approved	29.08.2014
18/01985/FUL	Erection of stables.	Approved	19.02.2019
20/00553/DISCON	Discharge of condition 4 (hard and soft landscaping) for approved application 18/01985/FUL.	Approved	02.06.2020
21/00447/FUL	Reconfiguration and alterations to Existing Cart Lodge to create a new 2-bedroom annex above the garage. Creation of 2 no. new build standalone units. Unit 1 - adjacent to existing cart lodge to provide additional space to house plant room equipment associated with the new energy efficiencies. Equipment will include boilers, water storage, battery storage and exchangers. Unit 2 - new substation adjacent to existing at entrance to site to house generators and power storage to make site more energy efficient (building to be green GRP substation)	Approved	26.07.2021
22/01681/FUL	Proposed removal and replacement of derelict Landing Stage providing waterway access across land owned and leading up to Alresford Lodge.	Approved	05.01.2023
23/00195/FULHH	Proposed landscape and hardstanding to annex.	Refused	04.04.2023

23/00199/DISCON	Discharge of conditions 4 (Construction/Environmental Management Plan) and 5 (Biodiversity Enhancements) of application 22/01681/FUL.	Approved	15.03.2023
23/00658/FULHH	Proposed solar panel installation in the ground of the property.	Current	

#### **4. Relevant Policies / Government Guidance**

##### National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

##### Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 - Sustainable Design

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL9 - Listed Buildings

PPL10 Renewable Energy Generation

Alresford Neighbourhood Plan 2018-2033 (June 2021)

ALRES7: Provision For Wildlife In New Development

##### **Status of the Local Plan**

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

##### **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct, and help to deliver sustainable development, by influencing local planning

decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

The Alresford Neighbourhood Plan was formally made (adopted) on 8th October 2021 and is part of the 'Development Plan'.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Summary

Planning permission is sought for the installation of solar panels to the north-west curtilage of Alresford Lodge, Alresford.

This application can be determined at officer level in accordance with the scheme of delegation, as none of the committee referral triggers have been met.

The applicant is not an elected member or member of staff or close relative, the land is not owned by the district council and in terms of consultation responses received, the Parish Council does not object and the ward member has not commented.

Approval is recommended.

### Site Description

Alresford Lodge is a Grade II Listed Building situated on the outside of the settlement development boundary of Alresford. The dwelling lies on a large plot with a number of outbuilding within its curtilage.

The site is accessible via a gated access from Ford Lane with a long driveway. The curtilage boundary treatment consists of mature foliage.

The site lies in close proximity to a public footpath, and it is surrounded by open countryside.

### Proposal

Permission is sought for the installation of solar panels within the grounds of the property.

### Third-party representatives

Comments were received from 11 Heath Road, objecting to the proposal. Concerns are stated as follows:

- Heritage impact: this is in an archaeologically sensitive area where beaker burials (1942), a Roman Villa (1884) and medieval wharfs (1980s/1990s) have been found within a quarter mile. Past owners included Vice-Admiral Lawson (1663-1665) who purchased the land partially for its access at Ballast Quay. Still, we have the remains of the former railway between Brightlingsea and Wivenhoe, the conveyor, and the Ford. None of this is mentioned in the report, which reads as a "desk-top report" that has made little effort to check the current research on Alresford in any archaeological journal or on-line. This site had been used for berthing, farming, and the railway over the past two thousand years. Any work, at the site and the laying of the wires, needs to be supervised by an archaeologist, but it would be better if it was investigated first.
- The screening would be visible from the footpath that runs along the River Colne, which will National footpath.

### Planning Considerations

#### Principle of Solar Panels:

The NPPF is supportive of the principle of the installation of renewable energy proposals including solar arrays (paragraph 152). It explains in paragraph 158 that when determining planning applications for renewable energy development, local planning authorities should approve the application if its impacts are (or can be made) acceptable and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

The Tendring District Council Local Plan reflects these principles within policy "PPL10 - Renewable Energy Generation and Energy Efficiency Measures", which supports proposals for renewable energy schemes with consideration to scale, impact (including cumulative impact) and the amount of energy which is to be generated and the Solar Farm Guiding Principles.

#### Heritage, Visual Amenity:

Both the NPPF and the Local Plan reflect the requirements of the Town and Country Planning Listed Buildings and Conservation Areas Act 1990, with policies that seek to preserve or enhance Conservation Areas, Listed Buildings, and their settings. Although, the site is not within a conservation area, the act is relevant to the application as Alresford Lodge is a Grade II Listed Building.

Following Consultation with Essex County Council Heritage, it was determined that, due to the topography of the proposal site and distance from the designated heritage asset, there would be very limited intervisibility between Alresford Lodge and the solar arrays.

The presence of the mature woodland and native hedgerow would provide the opportunity to further screen the proposed solar arrays with additional planting to match the existing. Furthermore, the initial height of the proposed panels was reduced, thereby mitigating the visual impact of the proposal. Therefore, the proposed development would not affect the setting of the Listed Building and surrounding area.

#### Landscape Impacts

Comments were received from the Tree and Landscape Team from Tendring District Council addressing issues of visual amenity to the wider area. They are as follows:

*The application site is situated in the Alresford Valley System Landscape Character Area (LCA) as defined in the Tendring District Council Landscape Character Assessment.*

*The key characteristic of the LCA is the intimate leafy character of the estuarine slopes of the river Colne. It has a sparse settlement pattern consisting of scattered cottages and isolated farms.*

*The application site is associated with the curtilage of Alresford Lodge although the solar array is situated in a location that is approximately 200 - 300m to the west of the main dwelling.*

*The location of the solar array is such that it is set in a low-lying area of land and consequently it will not be a prominent feature in its setting. The existing hedgerow on the western boundary, adjacent to the Public Right of Way that runs parallel to the river Colne, provides a high level of screening. The development will not be visible from the footpath to the west, nor will it adversely affect the public's use or enjoyment of this, well used, walking route.*

*The proposed planting of additional screening by way of a Native Mixed Hedge on the eastern and part of the northern boundaries of the application site will further improve screening and minimise any potential visual harm.*

*In terms of the impact of the proposed development on the local landscape character it is considered that a combination of the benefits provided by existing vegetation and proposed new soft landscaping means that the installation of the solar array will not adversely affect the local landscape character.*

Therefore, the scheme is considered to be acceptable in relation to landscape and visual amenity to the wider community.



### Archaeology:

The application site is an archaeologically sensitive area where there were beaker burials (1942), a Roman Villa (1884) and medieval wharfs (1980s/1990s), which have been found within a quarter mile. It is advised that if remnants of archaeological remains are found construction be halted, and Place Services be contacted, this has been communicated to the applicant by way of an informative.

Place Services Archaeology Team have confirmed that the development would be sited a sufficient distance to any recorded cropmark features in the vicinity of the site.

### Residential Amenity:

Given the isolation of the application site, it is the planning officer's opinion that impact to residential amenity would not be an issue of concern.

### Other Considerations:

Following re-consultation on the revised scheme the Parish Council (Alresford), supported the scheme by majority decision.

### Conclusion

The proposed solar panel installation scheme would constitute as acceptable development, as it would comply with the relevant policies, legislation, and guidance. Therefore, approval is recommended, subject to controlling conditions.

## **6. Recommendation**

Approval - Full

## **7. Conditions**

### 1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

#### NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

### 2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that

regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

- PROPOSED SITE PLAN AND BLOCK PLAN received 24 May 2023
- AMENDED SOLAR PANEL ARRAY SITE LAYOUT
- AMENDED SOLAR PANEL ARRAY ELEVATIONS

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

### 3 COMPLIANCE – CESSATION OF ELECTRICITY PRODUCTION

CONDITION: If the solar farm ceases to export electricity for a continuous period of 12 months then a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar panels and associated equipment and the restoration of (that part of) the site to its former use. The approved scheme of restoration shall then be fully implemented within 6 months of that written approval being given.

REASON: In order to ensure that the solar park fulfils its required purpose or is removed from the land in the interests of rural visual amenity.

### 4 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels.

REASON: In the interests of visual amenity and the character and appearance of the area.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

Should the landscape works include any new hedgerow, please consider the following planting for a native hedge. Native hedge: 50% hawthorn, 25% blackthorn (but beware - this can spread into adjacent fields), 15% field maple, 2% holly, 2% wild privet, 2% guelder rose, 2% dog rose, 2% buckthorn.

### 5 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

## 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.

Advisory Informative:

### ARCHAEOLOGICAL FINDS

In the case that archaeological remains are found on the application site, it is advised that development should be halted, and Essex County Heritage be consulted on further steps.

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