

13. HOUSEHOLDER APPLICATION – INSTALLATION OF 20 SOLAR PANEL ARRAY AT REAR OF HOUSE AT THE OLD VICARAGE, UNNAMED SECTION OF ROAD BETWEEN MAIN STREET AND OLD COALPIT LANE, CHELMORTON (NP/DDD/0622/0830, PM)

APPLICANT: MR. DAVID SWINDALE

Summary

1. The application site comprises a residential property and its rear garden located within the village of Chelmorton.
2. Planning permission is sought for a ground mounted solar array within the rear garden of the property.
3. It is considered that the proposed development would result in a significant adverse visual impact upon the landscape character of the National Park.
4. The application is therefore recommended for refusal as the proposal does not conserve or enhance the special landscape character of the national park, and therefore is not in accordance with the relevant adopted policies.

Site and Surroundings

5. The application site comprises a detached property with relatively large rear garden located within the village of Chelmorton. The property is the former vicarage and is now back as one property, having been split into two properties and functioning as such for several decades until recently.
6. The site adjoins open countryside to the south, west and north, with denser built development front Main Street located approximately 50 metres to the east on the other side of a covered reservoir. Land designated as 'Natural Zone' for the purposes of the Authority's Local Plan is located approximately 100 metres north west of the application site.
7. The site is located within the Chelmorton conservation area . The only nearby listed structures are the Grade II * Chelmorton Parish Church and a Grade II listed cross within the churchyard, located approximately 125 metres to the north east of the application property.

Proposal

8. Planning permission is sought for installation of 20 ground mounted solar panels to the rear of the property.
9. The installation would comprise 2 rows of 10 horizontally configured panels. The panels would be mounted in console bins and would have a 15 degree tilt.

RECOMMENDATION:

That the application be REFUSED for the following reason –

The development, by virtue of the location, size and appearance would result in significant adverse visual impact on the valued landscape character of the National Park, specifically the landscape setting of Chelmorton and its conservation area, including the transition from village to moorland, when viewed from Church Lane. The proposal is therefore contrary to the landscape conservation objectives set out in the NPPF and the Authority's Local Plan policies GSP1, GSP3, CC2, DMC3 and DMC8.

Key Issues

10. The key issues for consideration are:
- The principle of the development.
 - The landscape impact of the development.
 - The benefits of renewable energy generation.

Relevant Planning History

11. There is no recent planning history.

Consultations

12. Parish Council – Supports the proposal.
13. Highway Authority – In principle, the Highway Authority has no objection to this proposal; however, a condition requiring a Construction Method Statement is requested to understand construction/delivery vehicles' access and parking arrangements.
14. District Council – No response to date.

Representations

15. One letter of support has been received from the occupier of South View, Chelmorton.

Main Policies

16. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC2
17. Relevant Development Management policies: DMC3, DMC5, DMC8

National Planning Policy Framework

18. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was last revised and re-published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
19. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
20. Paragraph 176 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

21. Paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Peak District National Park Core Strategy

22. DS1 – *Development Strategy* sets out the Development Strategy for the National Park and supports development of small-scale retail and business premises, in Bakewell, in principle, so long as the designs comply with the National Park Core Strategies and Design Management Policies.
23. GSP1 and GSP2 – *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
24. GSP3 – *Development Management Principles* requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
25. L1 – *Landscape Character* identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
26. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
27. CC2 - *Low carbon and renewable energy development*. Proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape, character, cultural heritage assets, other valued characteristics, or other established uses of the area. It also advises that cumulative impacts of low carbon and renewable energy development within the National Park and visible beyond its boundary must be taken into account. It also states that where proposals do not compromise the valued characteristics of the National Park the Authority will also take into account the economic, social and wider environmental benefits of renewable and low carbon development.

Development Management Policies

28. DMC3 – *Siting, Design, layout and landscaping* states that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
29. DMC5 - *Assessing the impact of development on designated and non-designated heritage Assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to

demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals.

30. DMC8 – *Conservation Areas* - Applications for development within a Conservation Area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.

Supplementary planning documents (SPD) and other material considerations

31. The adopted supplementary planning document 'Climate Change and Sustainable Building' is a material consideration.

Assessment

Principle of Development

32. Policies DS1 and CC2 support the development of renewable energy infrastructure in principle.

The landscape impact of the development

33. The location of the proposed solar panels is within a rear garden and is well screened from immediate surroundings. The panels would be largely screened from the area to the front of the dwelling including the front driveway and the public right of way which leads to Shepley Farm. Additionally, the proposed panels would not be visible from the principal street within Chelmorton – Main Street, including the area in the vicinity of the listed church, the panels being screened from these areas by existing built development.
34. However, the topography is such that a clear and sustained view of the panels would be possible when approaching the village on Church Lane for a distance of approximately 250 metres. Church Lane is the principal entry point into the village from the south east.
35. The elevated view from Church Lane presents a vista of the entire northern end of the village, the oldest part of the village containing the Grade II * listed church, and also the setting of this part of the village within its wider rural landscape, including the transition from village to moorland to the north of the village.
36. The elevated position of Church Lane allows for a view over the covered reservoir and buildings of Main Street which otherwise screen the proposal from its immediate surroundings. Whilst not the most northerly development in the village, the panels from Church Lane would appear against the backdrop of Chelmorton Low and the natural zone and would appear as extending development beyond its existing extent towards the moorland of Chelmorton Low.
37. The prominence of the proposed panels within views of the village and its landscape setting from Church Lane are exacerbated by their distance from existing buildings – the proposed panels would be sited approximately 30 metres from the dwelling. Additionally, the console bins housing the panels will not be placed onto flat ground but onto a bank with an approximate 15 degree of tilt. The panels themselves will be tilted at 15 degrees with the result that the panels would be angled at 30 degrees from flat ground. Furthermore, the panels would be positioned in two rows with the result that the second row, situated behind the first row, would appear above the front row in distant views increasing the bulk of the panels in the view from Church Lane.
38. The views of the panels from Church Lane would be viewed from between 200 metres and 450 metres away depending on the location on Church Lane that the panels are

viewed from. At this distance the panels would appear sufficiently large and prominently in views of the village and its landscape setting to cause significant harm to the landscape character of the area, including the transition from village to moorland to the north of the village. The Chelmorton conservation area covers the entire northern end of the village visible from Church Lane, and immediately adjacent countryside. The setting of the conservation area is therefore also harmed by the proposal.

39. It is noted that the panels would be black with black frames. However, in this instance due to the prominence and massing of the panels when viewed from Church Lane and the sensitive relationship with the village and its landscape setting, it is considered that use of black panels in itself does not avoid significant harm to the landscape character of the area.
40. The development is therefore contrary to policies GSP1, GSP3, L1, CC2, DMC3 and DMC8 of the Local Plan and paragraph 176 of the NPPF. Furthermore, there would also be conflict with the Peak District National Park Climate Change and Sustainable Building Supplementary Planning Document.

The benefits of renewable energy generation

41. The fact that the development would reduce reliance on non-renewable energy sources is a material consideration to which weight must be given. However, any benefit arising from an array of this size would be slight relative to energy demand nationally or even locally.
42. Furthermore, contribution to renewable energy usage and carbon reduction (through solar or other renewable sources such as hydro, ground source, and air source) can be made in many locations within the locality where visual impacts would be significantly lower. This benefit is therefore given limited weight, and is significantly outweighed by the adverse landscape impacts that would arise from the development, as is detailed above.

Conclusion

43. The development, by virtue of the location, size and appearance would result in significant adverse visual impact on the valued landscape character of the National Park, specifically the landscape setting of Chelmorton and its conservation area, including the transition from village to moorland, when viewed from Church Lane. The proposal is therefore contrary to the landscape conservation objectives set out in the NPPF and the Authority's Local Plan policies GSP1, GSP3, CC2, DMC3 and DMC8.
44. Whilst the public benefits of renewable energy generation are acknowledged these do not outweigh the harm to landscape character.
45. Accordingly it is recommended that planning permission be refused.

Human Rights

46. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

47. Nil

Report Author: Peter Mansbridge – Planner (South Area).