DELEGATED DECISION REPORT

SMD/2020/0235 **Valid 06/05/2020**	**43 HUNTLEY LANE** **HUNTLEY** **CHEADLE**	**INSTALLATION OF PHOTOVOLTAIC SOLAR PANELS IN EXISTING PADDOCK.** **(FULL - MINOR)**

MAIN ISSUES

- Green Belt
- Landscape character impact
- Amenity; and
- Highway safety

DESCRIPTION OF SITE

This application relates to a paddock located to the south of no.43 Huntley Lane, a residential property comprising of a detached two storey dwellinghouse and associated amenity space. The site is bound to the south and west by open grazing land and to east by Huntley Lane. Huntley comprises of a small village hamlet which is divided by Huntley Lane which runs through the centre of the settlement. The application site and the village fall within the North Staffordshire Green Belt.

PROPOSAL

Approval is sought for the installation of solar panels that are to sited perpendicular to Huntley Lane. The panels are to measure 20m in length, 1.6m in depth and 2m in height. The Panels are to be supported on six concrete pad foundations.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
R1 Rural Diversification
T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

On July 20th 2020, the Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the

recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

In this context, the Council's position on the weight to be given to the policies (as modified) in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at the most advanced stage of preparation prior to adoption as the Inspector has concluded that the Local Plan is sound subject to the recommended modifications being made.
- The extent to which there are unresolved objections to relevant policies – the Inspector has now drawn his final conclusions and there are no further matters to resolve
- The degree of consistency of the relevant policies in the emerging plan to this Framework – the policies (as modified) have been found by the Inspector to be sound in the context of the 2012 NPPF under which the Local Plan has been examined. One of the "tests of soundness" that the Local Plan has successfully been measured against is whether it is "consistent with national policy". Because the Local Plan has been prepared and examined under the 2012 NPPF, it should be noted that in some limited cases, its policies do not directly reflect current national policy.

However, planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Current national policy is a material consideration and should be given weight accordingly.

Given the above, all policies (as modified) should be given substantial weight.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12 and 13

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is no site history relevant to the determination of this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 27.06.20
Neighbour consultation period ends: 01.06.2020
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

No objections.

Staffordshire County Council Highways

No comments received.

OFFICER COMMENTS

Principle of Development

In accordance with policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site falls outside of a defined settlement boundary as defined in the Site Allocations DPD. In accordance with policy SS6c, these areas will provide only for, amongst other things, development which meets an essential local need.

Green Belt

The site is located in the Green Belt where greater restrictions apply to new development. Chapter 13 of the NPPF relate to development in the Green Belt and advises that Local Planning Authorities should regard the construction of new buildings and structures as inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Exceptions to the presumption of inappropriate development are outlined at paragraphs 145 and 146 of the NPPF. The exceptions listed do not include development in association with renewable energy projects. Instead, paragraph 147 states that *"when located in the Green Belt, developments of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources."*

The essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 of the NPPF outlines the five purposes the Green Belt serves, which are as follows: to check the unrestricted sprawl of large built-up areas;

to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special landscape character of historic towns; and, to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The location of the solar panels falls outside of the residential curtilage of the dwellinghouse which is clearly defined on the submitted site location plan. Development beyond this boundary constitutes encroachment into the countryside. The proposed solar panels comprise inappropriate development and are therefore contrary to Green Belt policy. In considering 'very special circumstances' we can look at the environmental benefits of the project.

Whilst it is acknowledged that small scale projects such as the application proposal can provide a valuable contribution to overall projects of renewable energy and to meeting energy needs both locally and nationally, in this particular case it is considered that the benefits of the scheme are confined to the needs of the dwelling itself and the application fails to provide any evidence to suggest that the scheme will be of any benefit in contributing to energy requirements beyond the site. As such, the proposal does not provide the wider environmental benefits envisaged in paragraph 147 of the NPPF. It is therefore considered that the harm to the Green Belt in terms of openness outweighs the limited benefits of the scheme. As such, very special circumstances do not exist to enable the Local Planning Authority to support the proposal in the context of Chapter 13 of the NPPF

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. In accordance with policy DC3 the Council will protect and, where possible, enhance local landscape by resisting development which would harm or be detrimental to the character of the local and wider landscape.

The Staffordshire Moorlands Landscape and Settlement Character Assessment identifies the area character to be *"Dissected sandstone cloughs and valleys".* The key characteristics include:

- Deeply incised wooded valleys with narrow winding watercourses
- Historic parkland
- Stone buildings and walls
- Sheep and cattle farming with smallholdings
- Large broadleaf woodlands with newer conifer plantations
- Narrow sunken lanes with hedgebanks and tall hedges that limit views
- Dominant views to higher ground
- Lowland heathland.

The application site is elevated above Huntley Lane and though the field boundary is served by a hedgerow there are clear filtered views of the site from the lane. The panels are to measure 2m in height and I am satisfied that they will be visible from public vantage points. Though additional planting could be secured by condition, it remains to be the case that the proposed development, by virtue of siting and design will appear as an alien and incongruous feature in the landscape. the proposal does

not respect or enhance landscape character and is therefore contrary to policies DC1 and DC3.

Amenity

The solar panels are to be positioned approximately 15m to the west of the nearest residential property. The highest point of the array would sit circa 2m above ground level and though visible from windows locate at first floor level due to the distances involved and the height of the development it is not considered that the development would result in insignificant injury having regard to matters of privacy, overbearing impact and shadowing.

Highway Safety

The development is not of a scale that would affect highway safety.

CONCLUSION / PLANNING BALANCE

The site is located within Green Belt and open countryside. The proposal is found to not preserve Green belt openness and therefore represents inappropriate development. In order to be accepted in the Green Belt very special circumstances must exist to clearly outweigh the harms identified. NPPF Paragraph 147 specifically identifies renewable energy generation as potentially creating the very special circumstances required. The solar panels will provide only a very limited contribution to cutting greenhouse gases which would not outweigh the harm by reason of inappropriateness and loss of Green Belt openness. The proposal would be an intrusive feature in the countryside to the detriment of the landscape. Accordingly the application is contrary to CS Policies SSS1, SS1a, SS6c, DC1, DC3 and R1 and relevant sections of the NPPF and is recommended for refusal.

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Howard
Recommendation Date: 03.08.2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council