

Recommendation Report for Planning Permission

REF NO: AL/10/26/PL

LOCATION: 9 Old Canal Residential Park
Lidsey Road
Bognor Regis
PO22 9PN

PROPOSAL: Installation of 16 solar panels on mobile home roof. This application is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	9 Old Canal Residential Park is sited at the rear of of a small caravan park, with access to the site taken form Lidsey Road. The caravan is set on a brick base, with white render above.
CHARACTER OF LOCALITY	Caravan Park.

RELEVANT SITE HISTORY

AL/125/25/CLP	Lawful Development Certificate for the installation of solar panels on the pitched roof of a mobile home.	PP Required 10-02-26
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REPRESENTATIONS

Aldingbourne Parish Council - No objection.

One objection has been received regarding the land included within the red edge.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The applicant has included the road leading to the mobile home within the red line to indicate access. Matters of ownership and access are private, and not to be assessed as part of a planning application. Appropriate notice has been served on the owners of the land as outlined within the submitted application form.

POLICY CONTEXT

Outside the Built-Up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

REPORT_1011(ODB)

ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that the proposal would not result in adverse harm upon the character of the area or residential amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

This proposal relates to the installation of solar panels on a building in the built-up area boundary. Arun Local Plan (ALP) policy ECC DM1 states that proposals for appropriately located renewable energy development will be supported where the proposal is designed and located to minimise adverse impact to landscape, habitats, the historic environment and residential amenity. ALP policy ECC SP2 outlines that where planning permission is required to retrofit energy efficiency measures into existing development, schemes will be permitted, subject to the Design and Built Heritage policies.

DESIGN AND VISUAL AMENITY

The mobile home is set at the rear of the caravan park, which is modest in size compared to the neighbouring Lidsey Caravan Park.

The application proposed the installation of 16 solar panels, 8 on both the east and west facing roof slopes. By nature of the caravans siting, in the rear corner of the park, the solar panels on the western roof slope would be visible from the single road that runs through the Old Canal Residential Park. The panels on the eastern slope would be visible from both the road and neighbouring caravans to the east. Given the shallow roof pitch, the panels would not be a dominant feature.

Whilst solar panels are not a common feature on any of the neighbouring mobile homes, the introduction of the panels would not appear out of character or harmful. ALP policy ECC SP1 states that "the Council will support development which is located and appropriately designed to adapt to impacts arising from climate change". Solar panels would reduce the caravans reliance on non-renewable energy sources. The orientation of the caravan and proposed siting of the panels would mean that sunlight can be harvested during all daylight hours.

Given the scale and nature of the proposal, the proposed solar panels would not result in harm to visual amenity and as such, are in accordance with Arun Local Plan policies D DM1, ECC DM1, ECC SP1 and ECC SP2 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

By nature of their siting and unobtrusive appearance within the roof slopes, the proposal would not have any impact by way of overbearing, overshadowing or overlooking to neighbouring occupiers.

The inverter would be attached to the back of the caravan, away from neighbouring caravans and would not exceed 45 decibels. Given the low level of noise omitted by the inverter, the proposal would not result in harm to neighbours in regard to increased noise.

The proposal is in accordance with Arun Local Plan policy D DM1 in regard to neighbouring residential amenity.

SUMMARY

The proposal is in accordance with relevant Arun local Plan policies and is therefore recommended for approval, subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION**APPROVE CONDITIONALLY**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan
- Block Plan, Proposed Roof Plan and Proposed Elevations EL/01
- Planning, Biodiversity, Design and Access Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and ECC DM1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.