Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: AL/34/23/HH

LOCATION: Sangers
Littleheath Road
Aldingbourne
BN18 0SR

PROPOSAL: Installation of Solar PV system comprising 22 solar pv ground mounted panels in rear garden with potential to double the size in the future to 44 panels.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to install a Solar PV system comprising 22no. ground mounted Solar PV panels in the rear garden of a residential property.

This report does not assess a development of 44no. PV panels as stated on the application form as no information has been provided for the additional 22..

RELEVANT SITE HISTORY

AL/127/22/HH	Single storey front extension, single storey rear extension with associated first floor terrace and installation of car port.	ApproveConditionally 17-10-22
AL/55/15/HH	Single storey infill extension between garage & house & conversion of garage to habitable space.	ApproveConditionally 27-07-15

REPRESENTATIONS

Aldingbourne Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Outside Built Up Area Boundary

Lidsey Treatment Catchment
CIL Charging Zone 3

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside
ECCDM1	ECC DM1 Renewable Energy

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1	Built up area boundary
Aldingbourne Neighbourhood Plan 2019-31 Policy EH7	Renewable and low carbon energy

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The key policies are C SP1, ECC DM1 and D DM1 of the Arun Local Plan. Policies EH1 and EH7 of the Aldingbourne Neighbourhood Development Plan (NDP) are relevant to the application.

Development in the countryside is permitted if it accords with a specific policy or type of development set out in the Local Plan. In this case the policy on Renewable Energy ECC DM1 covers the type of development proposed. The criteria for renewable energy developments are:

a.The proposal is located and designed to minimise adverse impacts to landscape, habitats, the historic environment and residential amenity including visual, noise and odour impacts;

The site is a large, detached property which features a substantial rear garden, the solar panels are to be in the rear garden. There are neighbouring properties to the north and south which benefit from rear gardens of a similar scale to the host property, the boundary treatment between the gardens is mature and dense affording the properties significant privacy. The solar panels are close to the northern boundary and are of a scale that will have no minimal impact on the wider landscape. There is no impact on habitats, the historic environment or residential amenity.

b.The location and design of proposals will need to take account of the Council's landscape assessment and landscape sensitivity studies (or successor documents);

The site is in a residential garden in a rural setting. The proposal is not of a sufficient size or prominent location to alter the landscape setting.

c.Priority should be given to proposals that integrate with existing or new development where appropriate to do so having regard to (a);

The solar panels relate to Sangers, an existing development.

d.All proposals will need to demonstrate a suitable connection to the electricity distribution network, or appropriate energy storage facility, and provide evidence to demonstrate that the connection will not result in unacceptable impacts upon the landscape, natural and historic environment or visual and residential amenity;

The solar panels are to power the domestic residence of Sangers hence the connection to the grid will not have unacceptable impacts. The proposal for renewable energy development accords with policy ECC DM1 of the Arun Local Plan and is compliant with C SP1 of the Arun Local Plan and EH1 of the Aldingbourne NDP.

DESIGN AND VISUAL AMENITY

The solar panels are of a standardised design, featuring 2no. rows of 11no. black ground mounted panels. The rows of solar panels are 12.8m long x 5.1m wide and will sit below the height of the boundary planting. The size of the rear garden allows for a development of this size without compromising the outdoor amenity space for the residents. The development accords with D DM1 by way that they will not have unacceptable visual impacts upon the character of the property or the wider area.

RESIDENTIAL AMENITY

The scale, design and siting of the development will have no unacceptable impacts on the neighbouring properties by way that it will not overshadow, disturb or harm the privacy of nearby resident and is in accord with D DM1.

SUMMARY

The proposed development accords with policy of the Arun Local Plan and the Aldingbourne Neighbourhood Plan and is recommended for approval subject to the following conditions.

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

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 for 22no. PV panels hereby approved shall be carried out in accordance with the following approved plans which detail the 22no. PV panels.

- Elevations, Location, and Site Plans
- Block Plan
- Aerial View

Details of 44no. PV panels have not been provided, assessed or approved within this application and a subsequent application would be required.

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

3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. 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.