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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | BT | | | **Date:** | | 26/2/24 | | **Manager:** | | **LH** | **Date:** | **27/2/24** |
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| **Application Ref:** | | | | 3/2024/0002 | | | | | | |  | | | |
| **Date Inspected:** | | | | 24/8/23 & 21/9/23 | | | **Site Notice:** | | 11/01/24 | |
| **Officer:** | | | | BT | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | Proposed free-standing solar panel array on the existing earthwork bund with associated battery storage shed. | | | | | | | | | |
| **Site Address/Location:** | | | | | Wiswell Manor, Pendleton Road, Wiswell, BB7 9BZ. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | | |
| **Wiswell Parish Council:** | | | | | Consulted 10/1 – no response. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **RVBC Countryside:** | | | | | Consulted 10/1 - no response. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | | |
| One objection has been received in relation to the proposal which is summarised as follows:   * Impact of the proposal upon visual amenity | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1: Development Strategy  Key Statement DS2: Sustainable Development  Key Statement EN2: Landscape  Key Statement EN3: Sustainable Development And Climate Change  Policy DMG1: General Considerations  Policy DMG2: Strategic Considerations  Policy DME1: Protecting Trees & Woodland  Policy DME2: Landscape & Townscape Protection  Policy DME5: Renewable Energy  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2023/0590:**  Proposed free-standing solar panel array to the back of the existing earthworks bund with associated solar battery backup storage building (Refused)  **3/2017/0032:**  Earthworks mound to field boundary to the bottom of the paddock (Approved)  **3/2017/0030:**  Proposed new garden storage building with potting shed and greenhouse (Approved)  **3/2017/0005:**  Discharge of conditions 3 (landscaping) and 6 (external lighting) from planning permission 3/2014/0053.  **3/2016/1094:**  New outbuilding to contain garden store, potting shed and greenhouse (Withdrawn)  **3/2016/0659:**  Amendment of approved proposed access gates and gateposts to include new capping detail and stone flanking walls (Approved)  **3/2015/0819:**  Proposed new Haha across paddock land to rear of site to allow lower section of grassland to be maintained by grazing livestock (Approved)  **3/2015/0240:**  Discharge of condition1 (approved plans), 2 (stone details,) 3 (landscaping,) 4 (compliance with tree surveys,) 5 (compliance with protected species survey ) of planning permission 3/2014/0053 (Approved)  **3/2014/0053:**  Demolition of all buildings on site (existing house, kennels and various outbuildings) and erection of dwelling house (including bed and breakfast element). Reduced footprint scheme of existing approved application 3/2012/0010 (Approved)  **3/2012/0010:**  Proposed demolition of all buildings on the site (existing house, kennels and various outbuildings) and erection of a new dwelling house (including Bed & Breakfast element) (Approved)  **3/2011/0498:**  Demolition of all buildings on the site (existing house, kennels and various outbuildings) and erection of a new dwelling incorporating a Bed and Breakfast Business (Refused) | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a detached property situated on the North-eastern outskirts of Wiswell. The application property comprises a sizeable Georgian style manor house set within extensive grounds which extend to the North-west from the rear profile of the dwelling towards open countryside. The North-western extent of the application property’s approved domestic curtilage area adjoins a wildflower meadow area which subsequently adjoins to a ‘ha-ha’ feature. The land to the North-west of the ha-ha feature comprises a paddock area with its North-western perimeter comprising an earthworks bund lined with young tree planting. The North-eastern and South-western perimeters of the application site are lined with mature tree cover. The surrounding area is predominantly rural and comprises a mixture of woodland, agricultural land and open countryside with the Forest Of Bowland National Landscape abutting the South-eastern side of Pendleton Road. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Consent is sought for the installation of a freestanding solar panel array comprising two rows of 74 solar panels. The proposed solar panel array would extend along a large majority of the application site’s North-western boundary on the North-western side of the site’s earthworks bund. The panels would be linked to a battery storage shed via cabling with the battery storage shed sited at the North-eastern end of the solar panel array. | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  No adverse impacts upon neighbouring amenity are identified with respect to the works proposed. | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  Paragraph 135 (c) of the NPPF states:  *‘Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting’.*  Policy DMG1 of the Ribble Valley Core Strategy provides additional general design guidance as follows:  *‘All* *development must* *be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style…particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.’*  With respect to development within National Landscapes, Paragraph 182 of the NPPF states:  *‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty…development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.’*  Key Statement EN2 of the Core Strategy provides similar guidance:  *‘The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.’*  Policy DME5 of the Core Strategy seeks to support the use of renewable energy schemes, subject to assessment of the visual impact of the proposal, including design, colour, scale and impact upon the surrounding landscape, with a greater degree of scrutiny to be applied to proposals for renewable energy schemes within or close to the Forest Of Bowland National Landscape.  In this instance, the application site lies outside of the defined settlement area of Wiswell within a predominantly rural area with the Forest Of Bowland National Landscape (formerly AONB) abutting the South-eastern extent of the site approximately 190 metres away from the location proposed for the solar panel array. The solar panel array proposed would be extensive comprising two rows of 74 individual solar panels spanning a total distance of approximately 84 metres along the North-western side of the site’s earthworks bund. Public Right Of Way FP0347003 provides clear and long range views both towards and beyond the application site therefore the proposed development would be clearly read in the context of the surrounding open countryside and setting of the wider National landscape. Accordingly, the visual impact of the proposed development would be pronounced, with the extensive solar panel scheme reading as largely juxtaposed against the backdrop of the unspoilt surrounding open countryside and wider National landscape.  The current proposal remains unchanged from the solar panel scheme refused under previous planning application 3/2023/0590 (albeit with a minor increase in height to the roof pitch of the proposed battery housing shed). A comprehensive design & access statement has been provided in support of the current proposal as a means of justifying the previously refused solar panel scheme. The design & access statement provided makes reference to a number of approved developments within the surrounding area with solar panel array components in addition to supporting photographs which depict various long range views towards the proposal site.  The approved developments referenced and supporting photographs provided have been assessed as follows:  *Numerous solar panels arrays within Barrow Enterprise Site*  The application’s supporting information makes reference to existing solar panel arrays installed within numerous retail outlets and business premises within the above site. Unlike the proposal site, Barrow Brook retail park comprises a built up area with significant additional built form (residential housing) located immediately to the South. As such, the solar panel arrays referenced do not read as overtly incongruous or isolated features within their immediate setting. In addition, the above site does not lie within the Forest Of Bowland National Landscape, nor is the site read directly in concert with the aforementioned National Landscape which is located approximately 1 km away to the East.  *Approved planning application 3/2012/0424 at Worston House, Worston*  The solar panel array referenced is sited approximately 85 metres away to the North-west of Worston House and comprises numerous rows of ground mounted solar panels. Public Rights Of Way lie within the immediate vicinity of the site however the solar panels in question are largely screened from public view by virtue of the dense woodland cover and hedgerows which encompass the site. In addition, the solar panel array referenced spans a width / length of approximately 20 metres - unlike the solar panel array proposed in the current scheme which would span a distance of almost 84 metres in width and with no encompassing screening features. Furthermore, the location referenced does not lie within the Forest Of Bowland National Landscape, nor is the site read directly in concert with the aforementioned National Landscape which is located approximately 700m away to the South-east.  *Approved planning application 3/2012/0424 at White Lodge, Pendleton*  The solar panels referenced are located on the roof of a garage building sited within a residential curtilage which is not visible from any surrounding PROW’s. In addition, the solar panels in question span a modest width of approximately 20-25 metres and appropriately assimilate into the dark grey roof profile of the host garage building. The Forest Of Bowland National Landscape lies immediately opposite to the South-east of White Lodge however analysis shows an absence of any clear intervisibility between the aforementioned solar panel array and the immediately opposite National Landscape due to the presence of mature trees and vegetation which line Main Street.  *Approved planning application 3/2012/0424 at White Lodge, Pendleton*  The application’s supporting information makes reference to a total of 60 solar panels at the above site however the solar panels in question are evenly distributed between the roof profiles of four holiday lodges. In addition, the holiday lodges in question comprise a width of approximately 16m and analysis shows that the solar panel arrays on each of the lodges do not span the entire width of the lodge’s roof profiles. Furthermore, the approved lodges referenced are orientated with their solar panels facing South-West (unlike the current proposal whereby the proposed panels would face towards the North-east and for an uninterrupted expanse of almost 84 metres) therefore the solar panels referenced would not be overtly read in the context of the bordering National Landscape when facing South-west into the site (views into the site from the North-east from PROW FP0347004 appear to be largely restricted in any case) by virtue of the orientation of the lodges.  *Approved planning application 3/2015/0459 at Coal Pit Lane, Gisburn*  The above development comprises a commercial scale solar farm (in this case electricity generation to power 1500 households) and as such is not considered to be wholly relevant to the current proposal which relates to a private development to serve one household, however for thoroughness the proposal referred to has been assessed as with the other developments referenced. The solar farm in question is publicly visible when facing South-east from the A682 highway however the site in question does not lie within the Forest Of Bowland National Landscape which is sited approximately 1 kilometre away to the North-west of the solar farm. Furthermore, analysis shows that the solar farm is not directly read in concert with the aforementioned National Landscape when facing Northwards into the site from the A682 and surrounding PROW’s.  Moreover, the delegated report for the above application states:  *‘The LVIA concluded that the proposed development would not be visible from within the AONB. Following his site visit, the Lancashire County Council Principal AONB Officer has confirmed that he concurs with that particular conclusion of the submitted LVIA. He comments that the likely landscape and visual impact of the development on the AONB would be slight to negligible.’*  *Supporting photographs / other information submitted*  The application’s supporting information states that the proposed solar panel array would be not visible from within the Forest Of Bowland National Landscape due to the panels being sited behind an earth bund however whilst this may be true, the proposed solar panel array would nonetheles*s* be clearly read in concert with the aforementioned National Landscape from PROW FP0347003. The proposed development would therefore still have an observable impact upon the setting of the National Landscape as conveyed within the assessment of the previously refused scheme.  The application’s supporting information further states that photographs taken from PROW FP0347003illustrate that even on a bright day the backdrop to the proposal site is muted and dark in its nature due to the amount of vegetation. It is further claimed that the use of black solar panels with black joints and a dark frame system will help reduce the potential for impact from this view, and that this will further be reduced by the continual growth of the planting around the panels at low level. It is also stated that the proposed panels comprise a low glare which in turn would mitigate the potential for solar glare. The supporting information provided makes a similar argument with respect to the visual impact of the proposed development in long range views from the Pendle View holiday lodge site and the access road serving Park Farm. The above points are noted and whilst the design of the panels could afford some mitigation with respect to visual impact, the Council disagrees with the assertion that the appearance of the surrounding landscape, in conjunction with any visual mitigation afforded from the design of the PV panels (which would likely be minimal) would be sufficiently effective to the extent of reducing the visual impact of the solar panels to an acceptable degree in terms of their visual impact upon the surrounding open countryside.  Taking account of all of the above, the approved schemes referenced are not considered to represent examples of comparable development that would justify acceptance of the current scheme. Furthermore, the supporting photographs and additional analysis provided suggests that the development proposed would for the most part read as readily visible and largely incongruous in the context of the surrounding open countryside and nearby National Landscape. As such, the Council maintains its previous stance that the proposed solar panel scheme would read as a harmful addition to the area in as much that its introduction would undermine the natural beauty of the area. The proposed development would therefore fail to satisfy the requirements of Paragraphs 135 (C) and 182 of the National Planning Policy Framework and Key Statement EN2 and Policies DMG1 and DME5 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | |
| **Highways and Parking:**  No changes to the application site’s existing parking arrangement are proposed as part of the development. | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  The proposed solar panel array would be sited in close proximity to numerous young trees which line the application site’s earthworks bund. Construction and installation of the proposed solar panel array would be implemented by way of a ‘no dig’ specialised ground screw system designed for low impact construction in close proximity to trees and other natural features. An identical installation methodology was previously proposed and reviewed by the Council’s Countryside Officer as part of the assessment of previous planning application 3/2023/0590 which was deemed to be acceptable, subject to the applicant adhering to the ‘no-dig’ approach specified. As such no issues are raised with respect to the impact of the current proposal upon trees. No other ecological constraints were identified in relation to the proposal. | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposed development by virtue of its design, scale, prominence and incongruity with the surrounding landscape would result in the introduction of an anomalous and unsympathetic form of development that would be harmful to the character and appearance of the surrounding open countryside and setting of the wider National Landscape.  Moreover, Paragraph 139 of the National Planning Policy Framework states:  ***‘****Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design’.*  As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | That planning consent be refused for the following reason: | | | | | | | | | | |
| **01:** | The proposed development would result in the introduction of a poorly designed, prominent, incongruous and unsympathetic form of development that would undermine the natural beauty of the surrounding open countryside and setting of the wider National Landscape. The proposal is therefore considered to be in conflict with Paragraphs 135 (c) and 182 of the National Planning Policy Framework and Key Statement EN2 and Policies DMG1 and DME5 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | |