

E/0134/07/12

NON COMPLIANCE WITH PLANNING APPROVAL AT GARDENERS HALL FARM, LOWER STOFORD LANE, BRADFORD ON TONE

OCCUPIER:

OWNER: E-TRICITY LTD
CHISBURY, WEST HILL, WADEBRIDGE
CORNWALL
PL27 7EP

PURPOSE OF REPORT

To consider whether it is expedient to take Enforcement action to secure compliance with the approved plans by the reduction and rearrangement of the number of solar panels on site.

RECOMMENDATION

That no further action be taken over the additional 26 Solar Panels.

SITE DESCRIPTION

Gardeners Hall Farm is sited outside of Taunton within the parish of Bradford on Tone. The site adjoins the settlement boundary of the village and residential properties are close to the site on the western boundary.

There are a variety of storage buildings, agricultural buildings and residential dwellings adjoining the site. A large disused agricultural building has planning permission for a commercial use. The field is bound by hedgerows and trees. A Public Right of Way runs through the field.

BACKGROUND

Planning permission was granted on 20 January 2012 for the provision of 178 solar panels. A complaint was received on 27th July stating that more solar panels appear to have been provided than stated on the approved plans. The approved plans show three long rows of panels in double width. A site visit was made and it was found that there are six separate units of panels comprising of 34 panels each making a total of 204 panels.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The application, as submitted was for 178 Solar panels. The accompanying plans indicated that the panels would be arranged in three long rows comprising of two panels high. The panels on site are arranged in 6 separate banks of panels comprising of 34 panels and are staggered but are covering the same site area as approved. The development is therefore not in accordance with the approved plans in both layout and the number of panels.

RELEVANT PLANNING HISTORY

07/11/0024 - Planning permission granted for the installation and operation of a solar

photovoltaic array consisting of three rows with a total of 178 panels and associated equipment with a maximum array height of 2.6m and a maximum installed capacity of 50kw at Gardeners Hall Farm, Bradford on Tone.

RELEVANT PLANNING POLICES

National Planning Policy Framework

Enforcement (Paragraph 207)

Taunton Deane Local Plan 2004

S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
C12 - TDBCLP - Renewable Energy,
S&ENPP64 - S&ENP - Renewable Energy,
PPS 1 SUPP - Planning and Climate Change,
EN12 - TDBCLP - Landscape Character Areas,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are impact on visual and residential amenity, and the Landscape Character of the area. In assessing the previous application, the following impacts were considered :

The solar panels are sited close to the edge of a field with a backdrop of hedgerows and agricultural and commercial buildings beyond the boundary. Locally, some residential properties may see glimpses of the panels, as would users of the Public Right of Way. To limit these views, a new hedgerow is to be planted in accordance with the approval.

Given the existing boundaries and nearby buildings, the proposed panels are not considered to harm any views from the wider area. As such, there is not considered to be any detrimental harm to character and appearance of the area.

The new dwellings nearby recently granted permission to the rear of Gardeners Hall and in particular Plot 2, are not considered to be detrimentally affected by the proposal. Plot two will have two first floor windows facing towards the field, both will serve bedrooms; the distance between the panels and the proposed dwelling is approximately 40m; the boundary of the dwelling would be closer. Though the solar panels would be visible from these rooms, the proposed fence and hedgerow would partially screen some of the panels. Given the partial screening and the distance to the panels, the proposal is not considered to have such a detrimental impact on the proposed dwelling to warrant refusal.

It is not considered that the revised layout and increase in panels alter these considerations as the overall site area remains the same. The development contributes to the provision of energy from renewable sources, in accordance with Policy C12 of the Taunton Deane Local Plan without causing any detrimental harm to visual or residential amenity and the Landscape Character of the area therefore no action should be taken.

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