

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02317/P	Siting of solar panel array 30x 500w panels (six rows)	Glebe House Church Lane Reed Hertfordshire SG8 8AL

Submitted Plan Nos

690-SP1 690-SP2A 690-SP3A

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
T1	Assessment of transport matters

SP1	Sustainable development in North Herts
SP5	Countryside and Green Belt
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN16	Conserve + enhance historic environment
HE4	Archaeology

2.0 **Site History**

2.1 Various applications. None relevant to this application.

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Parish Council** – *“No objection in principle to this application with the proposed landscape enhancement scheme of additional hedging. However this is provided that going forward, the solar array and associated equipment are managed to ensure that there is no noise nuisance to neighbours.”*

3.3 **Archaeology** – No Objection subject to inclusion of WSI condition.

3.4 **Environmental Health** – No Objection

3.5 **Conservation** – Considered to comply with relevant conservation policy and legislation. Advises caution when considering archaeological impacts.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Glebe House comprises a detached two storey dwelling off Church Lane, Reed. The site is within the Rural Area Beyond the Green Belt, and the Reed conservation area.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the erection of a solar array to land to the south of Glebe House, presently used as an extended garden space. 30 total panels are proposed, in 6 rows. Associated landscaping is also proposed. The array would be provided to serve the occupants of Glebe House.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development in the Green Belt.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 The proposal is for a form of renewable energy, the principle of which is wholly supported within Section 14 of the NPPF, given the response from the Government to a low carbon future. More specifically, paragraph 168 of the NPPF states:

“When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and***
b) approve the application if its impacts are (or can be made) acceptable”.

In accordance with paragraph 168, it is considered that the proposal is a small-scale project that will provide an important contribution to reducing greenhouse gas emissions, so long as the impacts of the proposal are, or can be made, acceptable. This will be considered later in this report.

- 4.3.3 Policy NE12 of the Local Plan considers renewable and low carbon energy development, where it states:

“Proposals for solar farms involving the best and most versatile agricultural land and proposals for wind turbines will be determined in accordance with national policy”.

As such, from a Local Plan perspective, it is considered that the proposed development is acceptable in principle so long as it complies with the aforementioned section of the NPPF.

- 4.3.4 As stated, the application site is within the Rural Area beyond the Green Belt. Policy CGB1 of the Local Plan states that permission will be granted in these areas if the proposal meets specific criteria, as set out in the policy. It is considered that the proposal would not comply with any of the criteria; therefore, the scheme would be deemed contrary to this policy that seeks to protect the Rural Area beyond the Green Belt.
- 4.3.5 In conclusion, it is my considered view that the proposed development is acceptable in principle. The scheme is a form of renewable energy development that is wholly supported within the NPPF and Policy NE12 of the Local Plan. It is acknowledged that the proposal does not conform with any of the criteria set out in Policy CGB1 of the Local Plan; however, in my view the considered compliance with National policy and the sustainable nature of development outweigh this conflict, as long as the impacts of the proposal are, or can be made, acceptable.

Design and Appearance:

- 4.3.6 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.7 The proposed array would be set within land to the side/rear of the dwelling. The proposed panels would be ground mounted and would be approximately 1.3m in height. 30 total panels are proposed and would sit in 6 rows. At present, the site benefits from screening to all boundaries, however, during the winter, the vegetation along the eastern boundary allows for some public views and vantage points to the panel array. Although the array would be relatively utilitarian in nature, given that it would not sit within the immediate garden area surrounding the dwelling, I do not consider that it would appear at odds with the dwelling. Harm would not be occasioned to the open countryside due to the low level of the panels, the siting of the panels within the site, and due to the existing and proposed screening providing mitigation of prospective visual harm. Furthermore, plans indicate the reinforcing of vegetation and planting to the eastern boundary of the site, and subject to this vegetation being implemented, I do not consider that the array would appear at odds with the locality. Given that the site is within the conservation area, I consider that this planting is of importance to preserving the significance of this heritage asset. The array would sit approximately 75m from the church to the southeast of the site. Given the screening afforded by the existing boundary to this asset, and the proposed planting, I do not consider that the array would harm the significance of this heritage asset.
- 4.3.8 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impacts to heritage assets are considered to be acceptable, and would therefore comply with the provisions of Policy HE1 of the Local Plan 2011-2031 and Section 16 of the NPPF.

Impact on Neighbouring Properties:

- 4.3.9 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.10 Given the isolated nature of the site, I do not consider that the proposed array, by reason of dominance or loss of light would occasion unacceptable harm to neighbouring occupiers. It is acknowledged that the Parish Council has requested that noise nuisance impacts be minimised. Environmental Health made representation and have made no objection to the scheme in terms of its noise impacts. Therefore, I consider that the proposal would be acceptable and would not detract from the amenities of neighbouring occupiers.
- 4.3.11 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Biodiversity Net Gain:

- 4.3.12 North Herts Ecology have been consulted and have made representation. Their representation advises that the development would demonstrate sufficient BNG, and would recommend the inclusion of the BNG gain plan condition subject to any recommendation for approval.

Other Matters:

- 4.3.13 Archaeology have made representation and have requested the inclusion of a pre-commencement condition for an Archaeological WSI. I consider that this would go beyond what is necessary for this development given that the panels would be set on spikes set into the ground, and given that the applicant has advised that this part of the site was used as a dump pile. Furthermore, vehicles would not be entering this part of the site, and would therefore not harm assets of interest. I consider it is therefore prudent not to proceed with the WSI condition, and consider that a condition requiring the declaration of assets of archaeological interest to be suitable. This is in compliance with Policy HE4 of the Local Plan.
- 4.3.14 As with other solar array proposals, permission is granted subject to a 25 year time limit and the requirement to submit a schedule of removal for the panels hereby granted.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

4.5.1 None applicable.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

2. Before the 23rd January 2050, a programme of works to clear that land of all the arrays of panels and associated infrastructure is to be submitted to, and approved in writing by, the Local Planning Authority and the agreed works are to be implemented on site and any evidence of the arrays is removed by the 23rd January 2050.

This programme is to detail the disposal, and where appropriate, the recycling, of all the panels and any other materials to be removed from the site, and the materials must be disposed of in accordance with the approved disposal and recycling plan.

Reason: This is a temporary permission only and it is not acceptable to leave the panels on the site in perpetuity or for the materials to be sent for landfill.

3. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first use of the solar array for generating electricity or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. If any artefacts of archaeological interest are found during the site clearance and digging out stages, all works must stop on site and advice be sought from the HCC Archaeology team.

Reason - in the interests of archaeology protection and to comply with Local Plan policy HE4.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

1. This permission for the proposed 30x free-standing solar panels is for a temporary period of 25 years, and expires on the 23 January 2050.

Reason: This is a temporary permission only.

Proactive Statement:

6. Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 23 January 2025	

