

**Installation of 32 solar panel array and associated works at The Green Cottage
The Crescent Maugersbury Cheltenham Gloucestershire GL54 1HR**

Full Application 23/03792/FUL	
Applicant:	Mr Michael Lee
Agent:	Reduce Limited
Case Officer:	Helen Cooper
Ward Member(s):	Councillor Dilys Neill
Committee Date:	7 August 2024
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Principle of Development
- (b) Impact on the Cotswolds National Landscape (Area of Outstanding Natural Beauty (AONB))
- (c) Design and Impact upon nearby Heritage Assets
- (d) Impact on Residential Amenity
- (e) Biodiversity
- (f) Other matters

2. Reasons for Referral:

2.1 This application has been referred to the Planning and Licensing Committee following assessment by the Committee Review Panel and further to the request by Councillor Neill:

2.1.1 *"This application is for the installation of solar panels & an air source heat pump, the ambition of the applicants is to reduce their carbon footprint. The site is in the Cotswold national landscape & there are local objections about the effect on the landscape & on the setting of the village of Maugersbury & listed buildings in particular. Since CDC have declared a climate emergency, there is a balance to be had between reducing our carbon footprint & conserving our national landscape & listed buildings. I think that it would be useful for the planning committee to discuss the pros & cons of this application."*

2.2 Following a reduction in solar panels from 40 to 32 the following comments were received from Councillor Neill:

2.2.1 *"I support this application in principal because CDC has declared a climate change emergency & every little helps. However, I would still like it to be considered for referral to the committee because there will be some impact on the Cotswold National Landscape, also the setting of Half Moon House & this needs to be weighed against the public benefit of a small contribution to the climate change agenda. I think that this application would provide a good opportunity for committee to debate the*

balance between carbon reduction & the effect on our built & natural environment. Also, we could look at Ms. Yan's suggestion that the hedge should be repositioned."

3. Site Description:

- 3.1 The Green Cottage is a detached Cotswold stone dwelling, which has recently been constructed following the granting of planning permission reference 17/00570/FUL in 2017. The property is set to the south of the road along The Crescent in Mangersbury. The Mangersbury Conservation Area is located to the north of the site. Half Moon House to the north of the site is Grade II listed.
- 3.2 The application site comprises two areas. Firstly, the red line surrounds part of a paddock which is associated with The Green Cottage, Mangersbury and a smaller red line encompasses an area to the front of this property where a domestic oil tank is currently positioned.
- 3.3 The site is located within the Cotswolds National Landscape (Area of Outstanding Natural Beauty). A Public Right of Way, Mangersbury Bridleway 6 borders the paddock to the east. Land levels drop to the rear of the site and the paddock slopes down from the road. The boundary to the paddock comprises post and rail fencing and hedgerow.

4. Relevant Planning History:

- 4.1 17/00570/FUL Replacement dwelling and re-located access - Permitted 13.04.2017
- 4.2 18/02004/COMPLY Compliance with conditions 3 (samples), 4 (walling) & 5 (render) of 17/00570/FUL - Replacement dwelling and re-located access - permitted 31.07.2018

5. Planning Policies:

- EN1 Built, Natural & Historic Environment
- TNPPF The National Planning Policy Framework
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN15 Pollution & Contaminated Land
- INF10 Renewable & Low Carbon Energy Develop't

6. Observations of Consultees:

- 6.1 Conservation Officer: No objection subject to conditions (following reconsultation after the receipt of additional information)
- 6.2 County Archaeologist: No objection

- 6.3 Landscape Officer: No objection subject to condition
- 6.4 Environmental and Regulatory Services (Noise): No objection subject to condition
- 6.5 Public Right of Way Officer: No objection

7. View of Parish Council:

7.1 Comments on the initial submission:

Maugersbury Parish Council: (08.02.2024)

“Maugersbury Parish Council has carefully considered the above planning application for the installation of 40 solar panels and would like to object. The scheme will be visible in the wider AONB landscape. There is a public footpath that runs down the side of the site and the site is visible from this footpath as shown by the attached photographs. Not only will this be a blight on an important rural view of Maugersbury village, it will also impact on the setting of listed Half Moon House that is directly behind the site.”

7.2 Comments made following re-consultation on the submitted Visual Impact Assessment Report and Heritage Impact Assessment

Maugersbury Parish Council: (01.04.2024)

“Maugersbury Parish Council objects because the scheme will be visible in the wider AONB landscape, and particularly from a public footpath that runs down the side of the site, as shown in photographs included with Council's previous comments submitted on 8 Feb 2024. Not only will this be a blight on an important rural view of Maugersbury village, it will also impact on the setting of listed Half Moon House that is directly behind the site. Council supports the Conversation Officer's point that trees and hedges can be lost or removed and therefore should not be relied on to make a development proposal acceptable.”

7.3 Comments on the revised proposal which reduced the number of panels from 40 to 32

Maugersbury Parish Council: (11.06.2024):

“Maugersbury Parish Council objects because, even with the reduced number of panels, they will be visible from the footpath from the old railway bridge and will spoil the view of Half Moon House from the footpath.”

8. Other Representations:

8.1 Objections

Objections have been received from the following five addresses: Dower House, Half Moon House, Tythe Farm, Sycamore Barn, 18 Daleham Mews, London.

8.2 To summarise, the concerns raised are:

Landscape

- Impact upon views from the PROW and impact on the AONB
- Concern that this development would be a change from the existing agricultural use, which could set a precedent that, if allowed throughout the valley, would be a blight on this area of outstanding natural beauty.
- A large number of solar panels on the ancient landscape will harm the character of the area and dent the reputation of this much loved area.
- The scale of solar panels would represent a blot on this beautiful landscape.
- Concerns that granting permission would set a dangerous precedent for the AONB in this instance and additionally that potential future owners of the property might not take as much care of the countryside as the current owners will.
- Out of scale and keeping with the area

Heritage

- Impact on the Conservation Area
- Impact on listed building, detract from the historic view up to listed Half Moon House.
- The proposed solar array would damage unequivocally the character and quality of Mangersbury and Half Moon House and the way it functions.

Amenity

- Loss of amenity
- Privacy, light and noise from ASHP
- For the EHO's condition to be effective and enforceable it has to contain an acoustic specification to which the enclosure must perform.
- Potential glint and glare from the panels and no attempt at assessment of that impact, simply a statement that the panes will be black.

8.3 In addition, the resident at Half Moon House has commissioned and submitted a Heritage Assessment dated the 4.4.24 and following comments from the Conservation Officer a Heritage Note has been received dated the 1st May 2024. These documents provide information with regards to the significance of the historic environment, and they also raise concern in respect of the applicant's Heritage Impact Assessment which they do not consider to be founded on a robust methodology. The Heritage Assessment provides an analysis of the setting, approaches and views of the Half Moon House and Mangersbury Conservation Area. The document concludes that the *proposed development would cause a very small level of less than substantial harm to the significance of both Half Moon House and the Conservation Area through change to their setting* and provides reasons for this. Alternative mitigation measures are also put forward.

8.4 **Comment of Support**

One representation of support has been received from Sarsden House, Mangersbury. To summarise, the resident is supportive of the application. The development lies on

the southernmost perimeter of the village and the south facing aspect capitalises on their power. Appropriate screening and urgent need to introduce cleaner energy solutions.

9. Applicant's Supporting Information:

- Landscape and Visual Impact Assessment
- Design and Access Statement
- Feasibility Report (sensitively stored due to financial information)
- Air Source Heat Pump Calculations
- Air Source Heat Pump Product Information
- Heritage Impact Assessment
- Flood map for planning
- Supporting Email - Glint and Glare impact of solar array
- Electrical Safety Certificates and battery system information

10. Officer's Assessment:

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that '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.'
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

- 10.4 This application seeks planning permission for the 'Installation of 32 solar panel array and associated works' at The Green Cottage, Mangersbury. During the application process and in response to local concerns the applicant has reduced the number of proposed panels from 40 to 32 in number.
- 10.5 The solar panels would be located within a field adjacent to The Green Cottage, which lies to the immediate eastern boundary of the residential curtilage and is within the applicant's ownership. The field slopes down into the valley and the solar panels would be south facing and mounted to the ground with panel mounting clamps and rails. The panels would be set approximately 140mm above ground level. Hedgerow planting is proposed to mitigate the impact of the development.
- 10.6 As part of the associated works, planning permission is also sought for an Air Source Heat Pump. This would be located to the front of the property in the position of the existing oil tank.

- 10.7 During the application process the applicant has advised that they are proposing to install a hybrid battery installation. This enables excess energy to be temporarily stored at the site and used when required. The batteries would be an integral part of the installation and the switch gear and power electronics for the installation including the battery would be located within the garage. The applicant has advised that any domestic equipment being installed would be approved for domestic installation within the UK.

Energy Generation

- 10.8 The proposed solar panels are a renewable energy technology and will only generate electricity when the natural resource, daylight, is available. The applicant has advised that the proposal will deliver 60% of the property's energy needs and they will still need to import energy from the grid.
- 10.9 The battery units will help buffer the renewable technology by storing energy at the site so that this can be used when required by the occupants of The Green Cottage. This will result in 70% of the energy generated being used by The Green Cottage and 30% of energy generated at the site will be sold to the grid.

Carbon Neutral Targets

- 10.10 Renewable energy generation is considered to play a key role in reaching carbon neutral targets.
- 10.11 The Climate Change Act 2008 was amended in 2019 to require all greenhouse gas emissions to be reduced to net zero by 2050. The following suite of documents are also of relevance to renewable energy technologies:
- Energy White Paper: Powering our Net Zero Future (2020)
 - Overarching National Policy Statement for Energy (EN-1) (published 22 November 2023 and last updated 17 January 2024)
 - National Policy Statement for renewable energy infrastructure (EN-3) (published 22 November 2023 and last updated 17 January 2024)
- 10.12 Cotswold District Council declared a climate emergency in July 2019 and as outlined on the Council's website the following commitments have been made in response to the climate emergency:
- *making our activities net-zero carbon as soon as possible, aiming for an 80% reduction against a 1990 baseline by 2030, and a 100% reduction by 2045, with no reliance on offsetting or the trading of carbon credits*
 - *achieving 100% clean energy use across our full range of functions as soon as possible, and no later than 2030*
 - *embedding climate emergency considerations in all work areas, decision-making processes, policies and strategies.*
 - *appointing a Climate Emergency Manager*
 - *reviewing the Local Plan to ensure it is "green to the core"*
 - *reporting on the level of our fossil fuel investment*

- *taking a leadership role on the climate emergency in the Cotswolds*
- *establishing a Climate Change Panel, involving Councillors, residents, young citizens, climate science and solutions experts, businesses and others relevant parties, to help shape and promote the district's zero-carbon strategy*

10.13 A Climate Emergency Strategy 2020-2030, was adopted by the Council on the 23 September 2020.

(a) Principle of Development

10.14 The Cotswold District Local Plan 2011-2031 Policy INF10 'Renewable and Low Carbon Energy Development' is relevant to this planning application. This states:

1. Proposals for the generation of energy from renewable or low carbon sources will be permitted, provided it is demonstrated that:

- any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated;*
- it is of an appropriate type, scale, and design for the location and setting;*
- it is compatible with surrounding land uses, such as military activities; and*
- it avoids using the best and most versatile agricultural land unless justified by compelling evidence.*

2. The infrastructure and all associated apparatus and structures relating to the installation must be removed, and the site reinstated where appropriate, should it become redundant for energy generation purposes.

10.15 The National Planning Policy Framework (NPPF) seeks to support the government's net zero target of greenhouse emissions. Section 14 'Meeting the challenge of climate change, flooding and coastal change' is of particular relevance. Paragraph 163 of the NPPF advises that '*when determining applications for renewable and low carbon development, local planning authorities should:*'

- 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*
- approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas...*

10.16 Paragraph 164 of the NPPF states '*In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low*

carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.'

10.17 Taking the above legislation, local and national policies into account, in principle the 'Installation of 32 solar panel array and associated works' is acceptable subject to compliance with the key issues in respect which are considered in more detail within the following sections of the report.

(b) Impact on the Cotswolds National Landscape (Area of Outstanding Natural Beauty)

10.18 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB)) wherein the Council, in performing or exercising any functions in relation to, or so as to affect, the area '*must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*' (S85(A1) of the Countryside and Rights of Way Act 2000).

10.19 Local Plan Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

10.20 Section 15 of the NPPF seeks to conserve and enhance the natural environment. Paragraph 182 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 which have the highest status of protection in relation to these issues.*

10.21 The proposed Air Source Heat Pump is located within the existing residential curtilage, and it is not considered that this aspect of the proposal would have any impact upon the character of the countryside in accordance with Policy EN5.

10.22 The proposed solar panels would be located within the adjacent agricultural field. The site is located within Landscape Character Type (LCT) 15: Farmed Slopes and Landscape Character Area (LCA) 15A: Vale of Bourton Farmed Slopes. The published Cotswold AONB Landscape Character Assessment is relevant and the Landscape Strategies and Guidelines have been produced for each landscape type. The key features of the farmed slopes in brief are:

- *Transitional landscape*
- *Smooth gentle landform on lower slopes and sense of exposure on some upper slopes*
- *Gentler landform on lower slopes*
- *Landform has a consistent north-south orientation following the course of the Evenlode and Windrush*
- *Small, often geometric, broadleaf and coniferous woodlands and tree belts along watercourses draining the slopes*

- *Large deciduous and mixed woodlands bordering parklands integrated by strong hedgerow network*
- *Limited ancient woodlands and species rich grasslands*
- *Numerous historic parklands*
- *Productive arable and pasture farmland*
- *Strong pattern of hedgerows*
- *Small stone villages and hamlets*
- *Areas of ridge and furrow on lower slopes*
- *Scrub encroachment on some steeper slopes*

10.23 The potential landscape implications of isolated new development that might compromise rural landscape character and views to and from the Farmed Slopes (15.2) are as follows:

- *Visual intrusions introduced to the landscape*
- *Upgrading of minor roads and lanes and holloways in areas of new development and introduction of suburbanising features such as street lighting.*
- *Introduction of 'lit' elements to characteristically dark Farmed Slopes landscapes, forming a dark backdrop to the Pastoral Lowland Vale.*
- *Potential for glint from buildings.*
- *Erosion of distinctive dispersed settlement character of the Farmed Slopes.*
- *Suburbanisation and domestication of agricultural landscape by the introduction of gardens e.g ornamental garden plants and boundary features, garden sheds, gateways, parking areas and conversion of tracks to manicured drives and ornamental gateways*
- *Appearance of 'mini parklands' out of context with the surrounding landscape.*
- *Appearance and proliferation of stables and 'white tape' field boundaries for horses and ponies - see section 15.5. below.*
- *Loss of tranquillity and sense of seclusion*

10.24 In brief the Landscape Officer has stated:

- *A native hedgerow is proposed to the north of the array whilst existing trees and hedgerow are present to the south and east. These features will filter views into and across the site;*
- *The Public Right of Way (PRoW) referred to as Mangersbury Bridleway 6 is present along the eastern boundary of the site and continues beyond it to the north and south. Views are likely to be limited from this PRoW due to intervening vegetation and changes in topography;*
- *Distant views of the proposal from elevated ground to the south may be possible. Given the distance and presence of intervening features these views are likely to lack clarity and detail.*
- *Care should be taken during installation to ensure the ground is not compacted to the detriment of future agricultural use. Future reversibility of the scheme is a positive factor.*

10.25 A Landscape and Visual Impact Assessment has been submitted during the course of the planning application, and this has been reviewed by the Council's Landscape Officer who has advised that *The proposal is not considered to form significant change in the landscape or to views. Existing and proposed boundary vegetation is considered to be appropriate for the scale of development proposed.*

10.26 It should be highlighted that this is a small domestic renewable energy proposal and it is considered that the scale and layout is proportionate to that of the adjacent residential property that the installation will serve. Subject to planting, it is considered that the potentially small adverse impact upon the character of the Cotswold National Landscape can be successfully mitigated. The proposal is therefore considered to be compliant with Policy EN4, EN5 and INF10 of the Local Plan and section 15 of the NPPF.

(c) Design and Impact on nearby Heritage Assets

10.27 The application site is in proximity to Half Moon House, a grade II listed building, and Mangersbury Conservation Area's boundary runs in part along the boundary to the front of the paddock and The Green Cottage.

10.28 The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the setting of the nearby listed building in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.29 The Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.30 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.31 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

10.32 Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas. Hard and soft landscaping should respect the character and appearance of conservation areas and proposals should have regard to the relevant conservation area appraisal.

10.33 Section 16 of the NPPF states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 208 of the NPPF states *Where a development proposal will lead to less than substantial harm to the*

significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.

- 10.34 The application is supported by a Heritage Impact Assessment. This has been reviewed by the Conservation Officer and it should be noted that the Conservation Officer has also reviewed the Heritage Impact Assessment submitted by the resident of the Half Moon House.
- 10.35 The Conservation Officer has advised that Half Moon House which is located approx. 50m north of the proposed solar array, dates from around 1800, *"The asset is set at the edge of the village and has wide views to the open countryside. The NPPF also provides a separate definition of 'significance (for heritage policy)' as: the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* The proposal also lies within the setting of the Conservation Area.
- 10.36 The Conservation Officer recommended that other options were explored at the site for alternative heating methods. The applicant has provided a Feasibility Report which was compiled to look at alternative options at the site. Hydro generation and Wind turbine generators were ruled out and the applicant has advised that *'ground source heat pumps available at the moment would have required far more extensive ground works than the proposed installation and would still have required an renewable energy source to genuinely provide a carbon saving. We believe solar photovoltaic technology is the only viable on site renewable energy generation viable for this site.'* Based on this information, officers are satisfied that alternative technologies have been considered at the site.
- 10.37 The Conservation Officer has advised that on balance *"the harm identified from the proposed panels can be addressed through the addition of the mitigation proposed."* This is subject to planning conditions to ensure that the proposed hedging is planted and maintained.
- 10.38 It is therefore considered that the level of harm to the setting of the Half Moon House and Mangersbury Conservation Area, is small and less than substantial, which can be successfully mitigated through the introduction of planting in respect of Policy INF10 criteria a).
- 10.39 Paragraph 208 of the NPPF enables any less than substantial harm to be weighed against the public benefits of the proposal. In this instance, the proposal will contribute to carbon reduction and whilst the proposal is domestic in scale this remains a clear public benefit which must be afforded significant weight within the overall planning balance, as highlighted by paragraph 164 of the NPPF outlined under section a) of this report. Subject to mitigation planting this public benefit outweighs the less than substantial harm to the setting of the identified heritage assets. The proposal is therefore considered to comply with Policies EN1, EN2, EN10, EN11 and INF10 and the relevant sections of the NPPF.

Archaeology

10.40 The County Archaeologist has advised that the county Historic Environment Record indicates that nothing of archaeological significance will be impacted by the proposal and as such no mitigation measures are required in respect of archaeology.

(d) Impact on Residential Amenity

10.41 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

10.42 Local Plan Policy EN15 stated that development will be permitted where there will be no unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses. This includes impacts from pollution, noise and light as well as other disturbances such as spillage and smell.

10.43 A glint and glare study is often a requirement for larger solar installations where the potential impact upon road users and residential properties is assessed. Due to the small scale and domestic nature of the proposal this level of detail has not been required. The solar panels are south facing and due to the solar panels position on a hill and the separation distance to neighbouring dwellings it is not considered that the panels will result in a level of glint or glare which would have a detrimental impact upon neighbouring amenity. The applicant has advised that the panels have an anti-reflective coating on the glass and the frames will be matt black which will further reduce the potential of reflecting light. A hedgerow management condition has been recommended and this should also help to protect residential amenity in respect of potential glint and glare as once the hedgerow is established views to the panels will be reduced.

10.44 Potential noise emissions from the ASHP have been considered by Environmental and Regulatory Services (ERS) (noise). Following discussion with the applicant, a barrier has been proposed on drawing reference RL175-D02. ERS officers are satisfied that this will adequately control any adverse noise impact from the ASHP. In terms of appearance, it should be noted that the ASHP and proposed barrier will be set down from the road below a stone wall and should not have an adverse impact upon the heritage assets identified in section (c) of this report.

10.45 Subject to a condition ensuring mitigation measures are installed it is considered that the proposal will not result in an adverse impact to neighbouring amenity in accordance with Policy EN2, EN15 or INF10.

(e) Biodiversity and Geodiversity

10.46 Local Plan Policy EN8 outlines that development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible. Furthermore, it outlines that proposals that would result in the loss or deterioration

of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.

- 10.47 Section 15 of the NPPF also outlines that development should conserve and where possible enhance biodiversity and geodiversity and should not result in the loss or deterioration of irreplaceable habitats and resources.
- 10.48 The proposal will result in the loss of a small area of grassland in an agricultural field. It is considered that the planting mitigation measures will enhance biodiversity at the site in accordance with Policy EN8.

Other Matters

Loss of Agricultural Land and compatibility with adjacent land uses

- 10.49 Policy INF10 criteria c) seeks to ensure development is compatible with surrounding land uses. Criteria d) seeks to ensure renewable and low carbon energy development avoids using the best and most versatile agricultural land unless justified by compelling evidence.
- 10.50 The application site in part comprises a section of an agricultural field and the proposed use of the site for a small scale domestic solar installation is considered to be compatible with the adjacent residential use in accordance with criteria c).
- 10.51 The NPPF paragraph 180 recognises the importance of the best and most versatile agricultural land (BMV). This is particularly relevant in the case of significant development and whilst this is not defined by the NPPF, Natural England becomes a statutory consultee if the development leads to a loss of 20 hectares or more of BMV. Proposals for larger solar installations/farms would therefore normally require a soil classification report to definitively ascertain the quality of the soil in line with criteria d) of Policy INF10.
- 10.52 Due to the small domestic scale of this proposal, and as the field falls within the ownership of the applicant it has not been considered necessary or reasonable in this instance to request that this level of information is submitted. However, it should be acknowledged that Natural England's Land Classification Map for the South West Region indicates that the site lies within an area of land which is classified as grade 3, good to moderate agricultural land. It is recognised that the site could therefore comprise Best and Most Versatile Agricultural Land which includes grade 3a.
- 10.53 The loss of a small parcel of potentially BMV agricultural land in this location is on balance considered acceptable when weighed against the public benefits of the proposal which relate to helping to meet local and national carbon neutral targets. It is noted that an elevated array may have a lesser impact on the agricultural value of the site, but at the expense of being more visible in the context and landscape.

Proposed position of hedgerow screening

10.54 In Councillor Neill's referral to the Review Panel reference has been made to considering an alternative position of the hedgerow screening, which has been put forward by the neighbour at Half Moon House. The Landscape Officer and Conservation Officer have looked at the alternative position of the hedgerow which has been suggested by the neighbour and they have advised that they have no preference for the hedgerow's position. A hedgerow management condition has been recommended to ensure adequate and ongoing maintenance of the planting. Subject to condition the proposed mitigation planting provided by the proposal in its current form is acceptable and complies with Policies INF10, EN2, EN4, EN5, EN10 and EN11 of the Local Plan.

CIL

10.55 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). This is because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

11. Conclusion:

11. The proposal seeks planning permission for a small scale domestic solar installation which comprises 32 solar panels and associated works. The level of harm identified to the nearby heritage assets and the impact upon the character of the Cotswold National Landscape is small and less than substantial and the impact of development can adequately be mitigated for through additional planting at the site. In addition, the installation of the solar panels is reversible, and a planning condition has been recommended to ensure the solar panels are removed from the site when they are no longer required or operational. Whilst small in scale, the proposal will help to meet overriding carbon neutral targets and this is a public benefit which must be given considerable weight in the overall planning balance. Subject to condition, it is considered that the proposal complies with Local Plan Policies and as such is recommended for permission.

12. Proposed Conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans: RL175-L02 REV PL2, RL104-L04 REV PL2, RL175-L04 REV PL2, RL175-D02 REV P2, RL175-D01 REV PL2

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. The solar panels shall be finished in accordance with the proposed materials and finishes outlined within the submitted application form, received by the Local Planning Authority on the 1st December 2024. The materials shall thereafter be retained in accordance with these details for the lifetime of the development.

Reason: To ensure a satisfactory standard of external appearance and to accord with Policy EN2 of the Cotswold District Local Plan 2011-2031 (Adopted) August 2018 and the National Planning Policy Framework.

4. Prior to the installation of the solar panels a Hedgerow Planting and Management Plan shall be submitted to the Local Planning Authority and approved in writing. The document should include the location, proposed plant/hedgerow species, numbers and planting sizes and the intended height of the hedgerows and their ongoing maintenance. The landscaping scheme shall be completed by the end of the first planting season following the installation of the solar panels and maintained in accordance with the approved document for the lifetime of the development.

Reason: To ensure that adequate mitigation is provided in accordance with Policies INF10, EN10, EN11 and EN5 and to ensure planting is established and maintained at the site.

5. Prior to the first use of the Air Source Heat Pump the acoustic panel illustrated on approved drawing RL175-D02 Rev P2 shall be installed at the site. The barrier shall include barge boards and comprise close boarded fencing. The barrier shall be maintained in accordance with these details for the lifetime of the development.

Reason: To ensure adequate noise mitigation is provided at the site in accordance with Policy EN15 of the Local Plan.

6. Within 6 months of the cessation of their use for electricity generating purposes, the solar panels and all associated supporting frames, wiring and associated infrastructure shall be permanently removed from the site and the land restored to its former agricultural use.

Reason: In the interests of the visual amenity of the area in accordance with Policy EN6 and EN11 of the adopted Local Plan.

Informatives:

1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100sqm of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.