

Delegated Report

Planning Ref: 23/00832/FUL
Applicant: DBD Group UK Limited
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: DPD International Gateway, Logix Road, Burbage

Proposal: Installation of roof mounted solar PV panels

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

2.1. This application seeks full planning permission for Installation of roof mounted solar PV panels.

2.2. Allowing for all system losses, the proposed installation is expected to generate an estimated 599760kWh per year. The equivalent energy generated from conventional fossil fuel sources would give rise to the emission of 168154.7 kg CO₂ /year based on 0.28037 kgCO₂/kWh.

2.3. The proposed installation will comprise of 1764 x Trina Vertex S (420W) TSM-DE09R.08 panels. The high performance photovoltaic solar panels used within the system are made from dark blue/black monocrystalline silicon, with an anodised aluminum frame. As a renewable energy source, this material will make a positive environmental contribution. All efforts have been made during manufacture to minimise the environmental impact of the product. The electrical output from the solar panels will be cabled using a suitably sized DC cable, which will then be connected to an inverter together with suitably sized DC and AC isolators, before being connected to the existing electrical panel board.

2.4. The solar panels are south facing & designed to be self-cleaning when it rains, therefore, there is little maintenance involved.

2.5. The solar panels are 1762mm x 1134mm x 30mm and weigh 21.8kg. The overall active area of the array will be 3524.4 m². The array will be positioned no less than 1000mm away from the eaves and ridge. The height of the entire array will not protrude from the roof by more than 200mm. The solar panels will be mounted to the roof by use of an aluminium rail mounting system. The modules can be removed after the installation's useful life of approximately 25 years, leaving no sign of any installation.

2.6. Parking Provisions will not be altered from the current arrangement.

2.7. There will be no change to the current landscaping.

3. Description of the Site and Surrounding Area

3.1. The application property is an extensive site located within Hinckley Commercial Park inside the settlement boundary of Burbage and north of the A5. Directly west of & perpendicular to the building proposed for the solar roof is another large DPD Building. Ashby Canal is to the west of this other DPD Building and there is a railway line to the north. The building proposed for the solar roof is a very large single building orientated west to east with employee car parking situated to the

south of the building fronting Logix Road & trailer parking and loading bays at both the front and rear. There is a residential area to the east over a well-defined boundary and what appears to be a water treatment centre to the south across Logix Road.

4. Relevant Planning History

15/00805/ADV	Erection of 2 non-illuminated totem signs, 2 non-illuminated entrance signs and 3 x fascia signs	Advertisement Consent	08.09.2015
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5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and no representations have been received.

6. Consultation

- 6.1. No objections received from:-

Environmental Health (Pollution)
Burbage Parish Council

7. Policy

- 7.1. Core Strategy (2009)

- Policy 4: Development in Burbage
- Spatial Objective 12: Climate Change and Resource

- 7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Delivering Renewable Energy and Low Carbon Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Parking

- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

- 7.4 Burbage Neighbourhood Plan (2021)

- 7.5 Other Relevant guidance

- Renewable Energy Capacity Study (2014)
- Landscape Character Assessment (2017)
- Landscape Sensitivity Study (2017)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon the highway

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) (2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making.
- 8.3. Paragraph 11 of the NPPF and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (2016) (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.4. Spatial Objective 12 of the Core Strategy Climate Change and Resource Efficiency seeks to minimise the impacts of climate change by promoting the prudent use of resources through increasing the use of renewable energy technologies.
- 8.5. Policy DM2 of the Site Allocations and Development Management Policies DPD (SADMP) sets out that the Council is committed to reducing its environmental impact through carbon reduction through the support of appropriately designed and sited renewable energy and will support renewable energy developments where all reasonable steps have been taken to avoid or mitigate any adverse impacts including, but not limited to, landscape, noise, visual and cumulative impacts.
- 8.6. The application site is located inside the settlement boundary in a large commercial park. The proposal is for a large roof mounted solar array on a large commercial building. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure. It goes on to state (Para. 158) that when determining planning applications for renewable and low carbon development, planning authorities should not require applicants to demonstrate the overall need for renewable energy and approve the application if its impact is (or can be made) acceptable.
- 8.7. HBBC's Renewable Energy Capacity Study (2014) assesses the technical and deployable potential for renewable energy and low carbon energy within the Borough up to 2026 and identifies key areas of opportunity and constraint. The planning application site is in the Hinckley Commercial Park. The Strategic Objectives of the Core Strategy highlight the importance of renewable energy and importantly a need to increase the use of renewable technologies, such as for the

generation of electricity from renewable sources. With Policy DM2 providing support to renewable energy schemes.

- 8.8. In addition to this, in July 2019 HBBC declared a 'climate emergency' whereby Councillors pledged to take local action to contribute to national carbon neutral targets through the development of practices and policies, with an aim to being carbon neutral in the borough of Hinckley and Bosworth by 2030. However, the Council is yet to publish its Action Plan designed to outline how the council will address this emergency.
- 8.9. There is a clear presumption in favour of renewable energy proposals supported by local policies of the development plan and commitment by the Council to be carbon neutral. Therefore the principle of the proposed development is considered to be acceptable, subject to consideration of the environmental impacts advocated by SADMP policies DM2 and DM4 and the advice contained in the NPPF and NPPG, together with other development management considerations being appropriately assessed.

Impact upon the character of the area

- 8.10. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.11. The application site is within the Hinckley Commercial Park. There are limited features of landscape value within the site although the Ashby de la Zouch Canal is approx. 150m to the west. Between the DPD Depot building (which is the building the proposed solar arrays are to be placed on) and the Canal is the DPD International Gateway building to the west. This large building is perpendicular to the DPD Depot building. Because of the existing buildings, their orientation to each other and the distance to the canal it is considered the magnitude of change and levels of effect on the landscape would be low or very low magnitude of impact with a negligible adverse level of effect.
- 8.12. The site has significant boundaries to the west and north that helps limit visual impact of the proposal as does the placement of the solar arrays on the southern roof slope of the building. Although also visible from the east this residential area is somewhat shielded from the proposed with the existing boundary condition and the fact the proposed arrays would, in the larger scheme of things, only slightly protrude from the southern facing roof slope. The site is very large & mostly visible from views to the south along Logix Road. There is little hedging and few trees along this southern boundary but it is worth noting the proposed arrays would be set back at least 1m from the eaves of the DPD Depot building and that to the south of the site is a water treatment site, a forested area and an industrial area.
- 8.13. Views from nearby residential area are largely prevented by the Application Site's mature boundaries and other boundaries further out from the site. Views from more distant locations to the application site are prevented by intervening vegetation and topography. To reduce any visual impact, the layout and siting of the PV's has been designed to cause minimal impact within the landscape. It is felt that there would not be any significant effects to the landscape character of the surrounding area. The visual impacts are limited by the visual containment provided by existing trees/hedges and existing buildings within the application site's boundaries. It is concluded that the proposed development would not have a materially significant adverse landscape or visual impact on either the surrounding landscape character

or from the visual receptors identified, visual and landscape impacts would not be of significant impact.

- 8.14. As a result of the application's massing, complementary design and utilisation of sustainable initiatives, the proposal is therefore considered to be in accordance with Policy DM2 and DM10 of the adopted SADMP, the NPPF and the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.15. Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties. There are permeant and temporary residential mooring along the Ashby canal in close proximity to the application site as well as a dwelling on the A5 adjacent to the canal.
- 8.16. The proposed alterations would not have an adverse impact on the amenity of the occupiers of nearby dwellings with regards to overbearing, overshadowing or overlooking. There are no nearby residential dwellings to the north, west or south. The nearest solar array would be a distance of approx. 60m from the nearest dwelling on Slate Drive but at an obscure angle from it and over a well screened boundary. The solar panels themselves don't emit any noise. The only part of the system that does emit any noise are the Electrical Inverters, but these are situated within the buildings plant room and it's only the noise of fans for cooling. The noise is less than that already present in the operating facility.
- 8.17. Environmental Health (Pollution) has been consulted and has no objections. Therefore the proposed alterations would be in accordance with Policy DM10 of the SADMP.

Impact upon Highway Safety

- 8.18. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.19. The proposed development would not have an impact on the existing access or parking serving the site. Leicestershire County Council (Highways) were not consulted for this proposal. The proposed development is considered to be in accordance with Policy DM18 of the SADMP.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The application site is in the settlement boundary of Burbage within a designated commercial park. The proposed scheme seeks permission for a large solar array which is supported by Policy DM2 of the SADMP. By virtue of the layout, scale, appearance and design the development would complement the character of the area and would not have an adverse impact on the character of the area. The development would retain sufficient parking, and would not have an adverse impact on neighbouring amenity. The development is considered to be in accordance with Policy DM1, DM2, DM6, DM7, DM10 and DM18 of the SADMP.

11. Recommendation

- 11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials: Proposed Site Plan Drg No. 100-0428-P03-Rev P01 received on 25.08.2023 , Site location plan Drg No. 100-0428-P01-Rev P01 received on the 25.08.2023, Trapezoidal Roof Details Drg No. P05-RE01 received on the 25.08.2023

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

3. Written confirmation of the date of the first export of electricity to the National Grid from the solar array hereby approved shall be provided to the local planning authority within one month of the date of this taking place.

Reason: The development is granted for a temporary period from the first export of electricity, in the interests of protecting character and appearance of the surrounding area and landscape in accordance with Policy DM2 and DM10 of the Site Allocations and Development Management Policies Development Plan Document.

4. The planning permission hereby granted is temporary for a period of 25 years from the date of the first export of electricity to the National Grid from the solar array hereby approved. After such time the use shall cease and the solar array and associated equipment shall be removed from site.

Reason: The development is granted for a temporary period from the first export of electricity, in the interests of protecting character and appearance of the surrounding area and landscape in accordance with Policy DM2 and DM10 of

the Site Allocations and Development Management Policies Development Plan Document.

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.