**DELEGATED REPORT**

**Recommendation Made: 8 June 2011**

**Reference:- 11/00341/FUL** **Parish:- Bagworth Parish Council**

**Applicant:- Mr Stephen Hay**
**Lower Cleeve Farm**
**Hom Green**
**Ross On Wye**
**Herefordshire**

**Location:- Henwood Farm Merrylees Road Thornton Coalville Leicestershire**

**Proposal:- INSTALLATION OF PHOTOVOLTAIC PANELS ON EXISTING AGRICULTURAL BUILDINGS**

**Introduction:-**

This planning application seeks full planning permission for the installation of 304 photovoltaic panels onto the southern roof slope of the 5 existing poultry sheds. The photovoltaic panels measure 1.5m x 1m and the proposals are to cover 465 square metres of roof slope to provide up to 65 Kilowatts of energy.

The application site is an established poultry farm locatd to the east of the railway line and to the west of Merrylees Road. There are 5 large poultry sheds of varying sizes established at the site which are constructed from grey block work and timber boarding. With the exception of the on-site agricultural workers dwelling the nearest residential property is Merry Lees Farm located 75m to the south east of the proposed agricultural building. The land slopes sharply by 2.5m from west to east towards Merrylees Road. The site is well screened by mature trees along the Merrylees Road frontage and by approximately 5m high hedges along the eastern boundary with the poultry sheds. There is a mature hedge line along the western boundary with the railway line. The land to the west of the proposed agricultural building, beyond the railway line is the site of the Merrylees Industrial Estate. There are two existing vehicular accesses to the site, both of which are sited off Merrylees Road, these accesses serve the on-site dwelling and the poultry sheds. The site is located within the National Forest.

History:-

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|---|---|---|
| 11/00211/FUL | Erection of agricultural building | Current application |
| 96/00671/FUL | Erection of agricultural workers bungalow and relocation of existing office and building | Approved 30.9.96 |
| 95/00724/OUT | Erection of house and garage for poultry unit manager | Approved 13.12.95 |
| 89/00734/4 | Continued site use for one caravan | Approved 24.10.89 |
| 79/00046/4 | Siting of mobile home for site for site managers use | Approved 30.05.79 |

**Consultations:-**

No objection has been received from:-

Head of Community Services (Land Drainage)

A site notice was displayed and neighbours notified. No comments have been received from:-

Bagworth and Thornton Parish Council
Ward Members
National Forest Company
Neighbours

**Development Plan Policies:-**

National Planning Guidance:-

PPS 22- Renewable Energy
PPS7- Sustainable Development in Rural Areas

Adopted Core Strategy (2009):-

Policy 21- National Forest

Adopted Local Plan (2001):-

BE1- Design and Siting of Development
NE5- Development in the Countryside
NE21- The Principles of Development within the National Forest

Supplementary Planning Guidance on Farm Buildings.

**Appraisal:-**

The main considerations with regards to this application are the principle of development, impact on the countryside and impact on neighbours.

Principle of Development

Whilst both central government guidance in Planning Policy Statement 7 and policy NE5 of the adopted Local Plan seek to protect the character and appearance of the countryside for its own sake and from unnecessary development, it is recognised that certain forms of development, including those in connection with agricultural land based activities which require a countryside location, are generally acceptable in principle. Therefore the principle of siting the photovoltaic panels on the roof of existing agricultural buildings within the open countryside is considered acceptable. The existing poultry farm is well established and the proposed photovoltaic panels will support existing operations at the site by providing a renewable on site energy resource.

Impact on the countryside

The site is located within the National Forest. Policy N21 of the adopted Local Plan states that development should be of a high quality and materials of construction and layout should reflect the setting of the proposal in the forest. Policy 21 of the adopted Core Strategy requires landscaping proposals to accompany new developments. Due to the density, height and siting of existing landscaping at the site it is considered that the proposed agricultural building will be effectively screened within the National Forest and that no further landscaping proposals are required as part of the proposed development. The presence of this existing screening to all boundaries and the siting of the photovoltaic panels on the lowest part of the roof slopes means that the photovoltaic panels will largely be screened from view, thereby resulting in minimal impact upon the countryside and the National Forest. However it is conceded that there may be limited locations immediately outside the poultry farm (i.e. from the vehicular accesses) where a small proportion of the solar panels will be visible.

Impact on neighbours

The nearest residential properties are Merry Lees Farm and Merry Lees Farm Cottage located between 50 and 60m to the south of the most southerly of the poultry sheds onto which the photovoltaic panels are

proposed. Due to the presence of the mature trees and hedging along the southern boundary, which is in excess of 3m in height the proposed development is not considered to result in loss of residential amenity through the effects of blinding or unneccessary glare.

Conclusion

By virtue of their siting on the roof slope of the poultry sheds and taking into account the existing mature screening along the boundaries of the site the proposed installation of the photovoltaic panels are not considered to be harmful to the character and appearance of the National Forest and open countryside, they constitute renewable energy production to support existing agricultural operations at the site and will not be harmful to residential amenity or highway safety.

**RECOMMENDATION:- Permit subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan. Resultant of their siting on the roof slope and taking into account the existing mature screening to all boundaries the proposed photovoltaic panels are not considered to be detrimental to residential amenity or highway safety, or harmful to the character and appearance of the countryside and the National Forest. Accordingly the scheme is considered acceptable.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and NE21
Hinckley & Bosworth Adopted Core Strategy (2009):- Policy 21

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

2 The development hereby permitted shall be carried out in complete accordance with the submitted application details, as follows: 01219-00-C received on 03 May 2011.

**Reasons :-**

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

2 For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:- Scott Jackson Ext 5929**