

Application Details	
Application Reference Number:	3/26/23/005
Application Type:	Full Planning Permission
Earliest decision date:	28 June 2023
Expiry Date	02 August 2023
Extension of Time Date	NA
Decision Level	Committee
Description:	Installation of solar panels on static caravans (Resubmission of 3/26/22/013)
Site Address:	The Blue Anchor, Cleeve Hill, Watchet, TA24 6JP
Parish:	26
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	NA
AONB:	NA
Case Officer:	Briony Waterman
Agent:	Mr Elston,
Applicant:	Mr Kravis
Committee Date:	18/07/2023
Reason for reporting application to Committee	Applicant is a Councillor

1. Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 The proposal for the erection of 18 solar panels per caravan at Anchors Drop is an amended resubmission of application 3/26/22/013 for the installation of solar panels on main building and static caravans along with ground mounted solar panels in the north-western garden area. The current proposal removes the panels on the main building and the ground mounted panels. It is considered to meet the policy requirements CC1 of the West Somerset Local Plan to 2032 and Paragraphs 7-14 of

the National Planning Policy Framework and is not considered to have a significant impact upon the visual or residential amenity of the area.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

3.1.1 Time limit - 3 years

3.1.2 Drawing numbers

3.1.3 Removal of panels

3.2 Informatives (full text in appendix 1)

3.2.1 Proactive Statement

3.3 Obligations

NA

4. Proposed development, site and surroundings

4.1 Details of proposal

Installation of 18 solar panels on the static caravans in situ (Resubmission of 3/26/22/013) This proposal varies from the original in that the ground mounted panels, and solar panels on the main building have been removed from the proposal.

4.2 Sites and surroundings

Anchors Drop, formerly the Blue Anchor, is a two storey pub located adjacent to the B3191 with a car park to the south east. Beyond the car park are 6 static caravans which share an access with the pub and are partially screened from the highway by hedging. The area is not covered by any Conservation Areas and there are no listed buildings in close proximity.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
3/26/22/013	Installation of solar panels on main building and static caravans along with ground mounted solar panels	Refuse - committee overturn	20/04/2023

Reference	Description	Decision	Date
	in the north-western garden area		
3/26/21/022	Change of use of land with siting of 6no. static caravans for holiday let use (retention of works already undertaken)	Granted	01/06/2022
3/26/08/025	Erection of two detached bungalows with attached garages	Refused	13/11/2008
3/26/07/018	Permission for 2 existing caravans on the road side of the top field. Allowed at appeal for the temporary accommodation of seasonal staff, limited to a period of 5 years	Refused	14/09/2007

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

The site lies outside the catchment area for the Somerset Moors and Levels Ramsar site. As competent authority it has been determined that a project level appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is not required as the Council is satisfied that the development is not likely to have a significant effect on the Ramsar site (either alone or in combination with other projects) pursuant to Regulations 63(1) of the Habitats Regulations 2017.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 07 June 2023

8.2 Date of revised consultation (if applicable): NA

8.3 Press Date: NA

8.4 Site Notice Date: A site notice was posted to the applicant on the 07/06/2023

however the LPA has not had confirmation that it was displayed. However it is considered that the statutory to advertise has still been met as it went into the local paper and neighbour letters were sent out.

8.5 Statutory Consultees the following were consulted:

Consultee	Comment	Officer Comment
Old Cleeve Parish Council	<p>Resolved to support the application with the following comments: Support the principle but not at the scale and some locations previously approved.</p> <p>Only on the caravans is not considered as intrusive as the previous, but questions remain about the structural integrity of the caravans.</p> <p>If approved should be time limited to the same time frame as the approved caravans, questions remain about the viability.</p> <p>18 panels on each caravan is likely to require battery storage, there are no proposals for this</p>	<p>The comments are noted. Whilst not material planning considerations the applicant should be aware of the points raised and ensure the caravans are suitable for installing solar panels.</p> <p>A condition has been included regarding the time limits of the panels.</p>
SCC - Ecologist	Having reviewed the above application, the existing static caravans hold negligible ecological value, therefore the development can continue.	Noted
Highways Development Control	No observations	Noted

8.6 Internal Consultees the following were consulted:

Consultee	Comment	Officer comment
Landscape		

8.7 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Two letters have been received from the same person making the following comments:

Objections	Officer Comment
Why has this been requested as caravans are for 5 years only.	Can only determine the application as is,
Questions of the health and safety of the site, planning have enforcement notices to comply	Noted, the enforcement issues are separate to the current application.
Concern that the caravans which are in poor condition are possibly not structurally sound enough for such work	Noted, and would be a Building Regulations concern.
108 solar panels would not be necessary to run The Blue Anchor and the caravans, this many leads me to the mind that this would be a business adventure to sell the energy back to the grid	Despite the number of panels whether they are selling back to the grid is not a planning consideration.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former

West Somerset area. The Development Plan comprises the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

OC1	Open Countryside development
SD1	Presumption in favour of sustainable development
CC1	Carbon reduction - small scale schemes
CC3	Coastal Change Management Area

Neighbourhood Plans:

NA

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

9.1 National Planning Policy Framework

The proposal is considered to accord with the general principles of the NPPF, in particular "Chapter 2 Achieving Sustainable Development".

10. Material Planning Considerations

The earlier application, 3/26/22/013 was for the installation of solar panels on the main building and static caravans along with ground mounted solar panels in the north western garden area. This application was refused at Planning Committee for

the following reasons:

“The site is located within an area identified as a coastal change management area and a coastal zone which is vulnerable to rapid coastal erosion and where development will only be permitted where a coastal location is essential and which cannot be located elsewhere. The proposed ground mounted solar panels do not constitute tourism related development nor has any evidence been put forward to indicate that the scale of the proposed development is essential to support tourism related development on this site. The proposal is therefore considered to conflict with policies CC3 and CC4 of the West Somerset Local Plan to 2032.

The proposal by virtue of the number and location of the ground mounted collar panels would have a substantial detrimental impact on the character and appearance of the area. The ground mounted panels would be visible from the adjoining highway, nearby properties and beach and would contribute to the proliferation of development in the countryside. No public benefits have been identified that would clearly outweigh the harm. The proposal is therefore considered to conflict with Policy CC1 of the West Somerset Local Plan to 2032.”

The current proposal removes the ground mounted panels and panels on the main building.

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

The panels are to be erected on existing caravans within the curtilage of the property known as "Anchors Drop". The former Somerset West and Taunton Council had declared a "Climate emergency" and as such any schemes which endeavour to reduce the carbon footprint of a building are to be commended. However, there are other policy and material considerations to take into account before determining this application.

Policy CC1, carbon reduction - non wind energy generating schemes, of the West Somerset Local Plan states:

Energy generating development proposals (other than those for wind turbines.) will be supported where:

- *They respect the local natural environment in which they are located*
- *They respect the local historic environment and the significance of any*

*designated and identified potential heritage assets within and neighbouring it;
and*

- They respect the positive economic and social characteristics of communities affected especially those neighbour them; and*
- Adequate measures are taken to mitigate the cultural, economic, environmental and social impact of any related development of the communities affected, both in the short and the longer term.*

Given the location of the proposal, policy CC3, coastal change management area, of the West Somerset Local Plan is also considered relevant. The policy states:

"Development within the coastal change management areas, as defined on the policies map, will be limited to temporary, tourism-related development.

No development will be permitted within parts of the coastal change management area which are vulnerable to rapid coastal erosion.

Exceptionally, where the use of such development locations are necessary for sustainable development purposes, other types of development may be permitted where they would be protected by new or existing sea defence which are to be maintained in the long term."

Given the above, the proposal for solar panels is considered to comply with policy. By their nature the solar panels are temporary as are the caravans on which they are to be sited. The panels will not be visible other than glimpses from the public highway and it is not considered to have a detrimental impact upon the visual amenity of the area. It is considered that, whilst the proposal is within the coastal change area, the addition of solar panels is not considered to have a detrimental impact, the panels are temporary and fixed to temporary structures. The site is not listed, nor is it within a Conservation Area.

Sustainability is a key theme which runs through the National Planning Policy Framework, in particular paragraphs 7 to 14.

The proposed scheme is outside of any defined settlement limits and is therefore defined as being within the open countryside, however the proposal is located within the curtilage of an existing building and is therefore considered acceptable in principle.

10.1.2 Visual amenity

The proposal is not considered to have a significant impact upon the visual amenity of the area. The caravans are well screened from the highway and public views by the existing boundary treatments and it is considered that any perceived negative visual impact is outweighed by the benefits of renewable energy generation.

10.1.3 Residential amenity

Due to the nature and location of the proposal it is considered that the proposals would not have a significant impact. The panels would be located on top of the existing caravans which are approximately 85m away from the nearest property, screened by the existing boundary and the highway.

10.1.4 Highways

Due to the location of the proposal it is considered that there would be no impact upon the parking and turning arrangements on the site, and no adverse impact to other highway users.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

NA

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "clear reason for refusing the development proposed" or where the benefits of the proposed development are "significantly and demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Recommended Conditions

- 1 The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo 2239.3-201 Proposed Plans and Elevations

(A2) DrNo 2239.3-200 Proposed Site Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The solar panels, hereby approved, shall be removed from site when the caravans are removed from the site.

Reason: In order to maintain the appearance of the area.

Notes to applicant.

In accordance with paragraph 38 of the National Planning Policy Framework 2021 the Council has worked in a positive and creative way and has granted planning permission