

Heritage Impact Assessment for proposed Solar array installation

(Ref. ENQ / 2023 / 0212; Lyndene, LL20 7YL)

To whom it may concern,

Background

In response to pre-application advice regarding the proposed installation of a small domestic solar array, we have been advised by the Local Authority (Wrexham County Borough Council) that the array - two rows of four solar panels at 17.28 m² - falls outside the scope of Permitted Development requirements, namely exceeding the limit of 9 m²

We submitted the planning application to reduce our carbon footprint, to reduce electricity bills, and to bring about a general improvement to household energy efficiency

Consequently, we are required to submit a formal Planning Permission application, which includes this Heritage Impact Assessment

Site description

This small scale development is proposed to be situated within the curtilage (240m from the boundary) of the Pontcysyllte Aqueduct and Canal World Heritage Site Buffer Zone, as well as the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

In light of fully acknowledging the need to minimize the negative impacts developments might have, we have conducted a Heritage Impact Assessment to address any potential impacts on the area's landscape character and the Outstanding Universal Value of the World Heritage Site

Our assessment draws from several resources: -

- *Local Planning Guidance Notes 33 for the Pontcysyllte Aqueduct and Canal*
- *ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties*
- *UNESCO Guidance and Toolkit for Impact Assessments*
- *WAG Technical Advice Note 24: The Historic Environment*
- *CADW Managing Change in World Heritage Sites in Wales (26917)*

Impact assessment

Even before we realized a Heritage Impact Assessment was needed, we were convinced that the proposed work should not affect the significance of the historic and environmental environs. We changed the design proposal to be ground mounted (with

the understanding of the potential visually intrusive effect the array would have if placed on the roof of the building), to bury any overhead cables (at an increased overall cost), and asked that the panels be as installed as discreetly as possible; accepting that arrays at a height of 2m would lose some degree of efficiency in winter months as opposed to being at peak winter efficiency with arrays at a height of 3m (meaning the 'pay back time' was extended from around 9.5 years to around 11 years)

The excess in footprint (9 m² to 17.28 m²) is solely due to the panels being individually adjusted and spaced apart for optimal power generation to offset the mitigations listed above. The original proposal suggested by the installer (Project Solar UK Ltd.) was a single block of four by two roof-mounted panels which would have been under 9 m²

The pre-application advice itself highlights key features that the proposal does mitigate potential impacts, stating that the proposed solar array site is flat, screened from roadside views by existing ancillary buildings and hedging, and concealed from wider views across the Dee Valley, Fron, and the World Heritage Site by an existing mature hedge boundary along the southwest of the site (see maps on pages 4 and 5 in the appendix)

The maximum height of the array (2m; lower than the top of an existing polytunnel) has been carefully designed for having a low visibility; even when standing in the adjacent field next to the hedge, the top of the array would remain hidden

Photographs taken at various distances demonstrate this effect. Additionally, photographs taken at lower altitudes or greater distances, coupled with the curvature of the field, show that the array is not visible from any point at a lower altitude. Please see pages 17 to 22

Photographs (pages 15 and 16) taken from publicly accessible land at a higher altitude within the buffer zone, indicate that the array would still be concealed from view due to surrounding trees

Conclusion

Despite changing the original design proposal to minimize as far as practicable the array's visibility, and having considered additional screening options, we believe that it is very difficult to make the proposed array less visible. However, we are open and willing to follow any recommendations that may arise during the consultation process on how to further minimize visibility

I finally refer you to the successful planning permission application P/2015/0822 (see pages 11 and 12) which was granted for an identical purpose - which has lapsed simply due to inaction on my part - meaning the current planning application is essentially a repeat of one already granted, albeit without the current requirement for a Heritage Impact Assessment

We appreciate your attention to this matter and trust that this assessment addresses any concerns or queries you may have

Best regards,

Appendix

Page 4	Location map showing WHZ
Page 5	Current block plan
Page 6	Proposed block plan
Pages 7-9	Pre-application advice
Pages 10-11	Previous successful application
Page 12-13	Images
Pages 15-22	Photographs

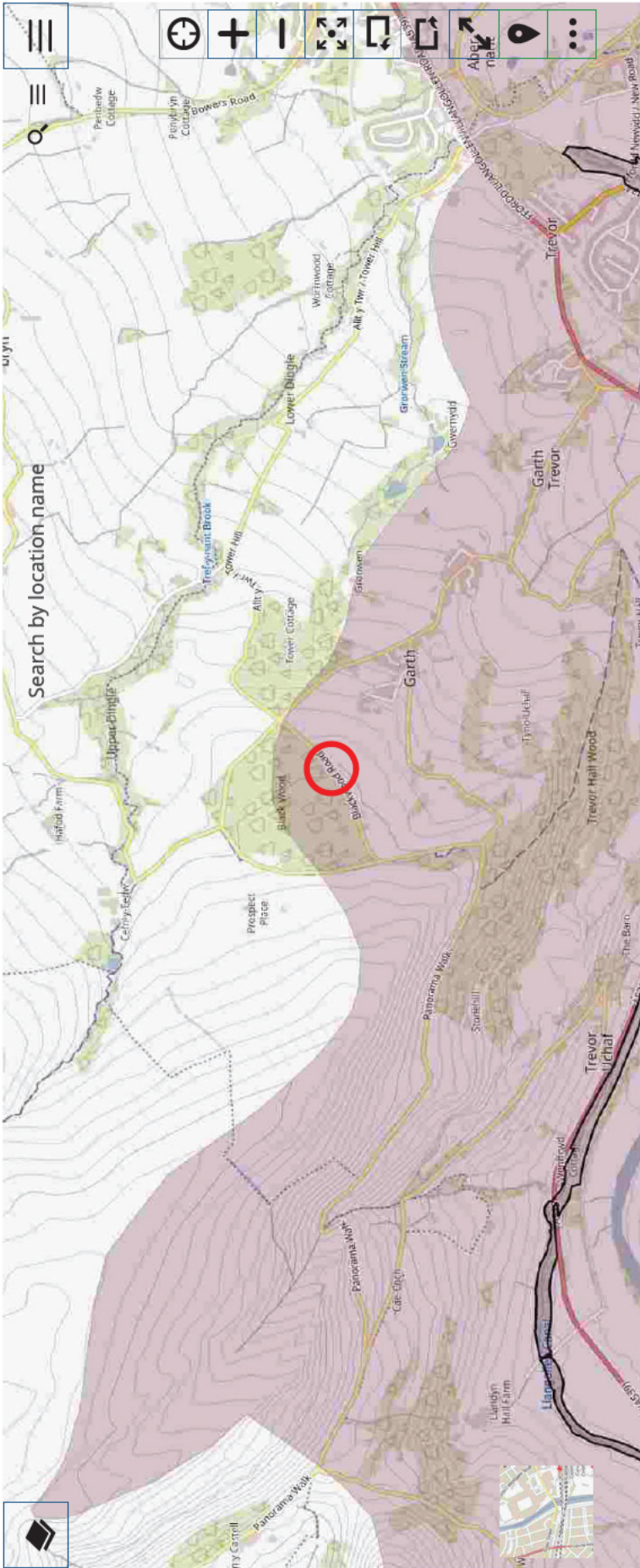
(<https://gov.wales/>)

Cymraeg (<https://mapdata.llyw.cymru/maps/new?layer=inspire-wg:WorldHeritage>)



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Plan Produced for:

Date Produced:

Plan reference Number:

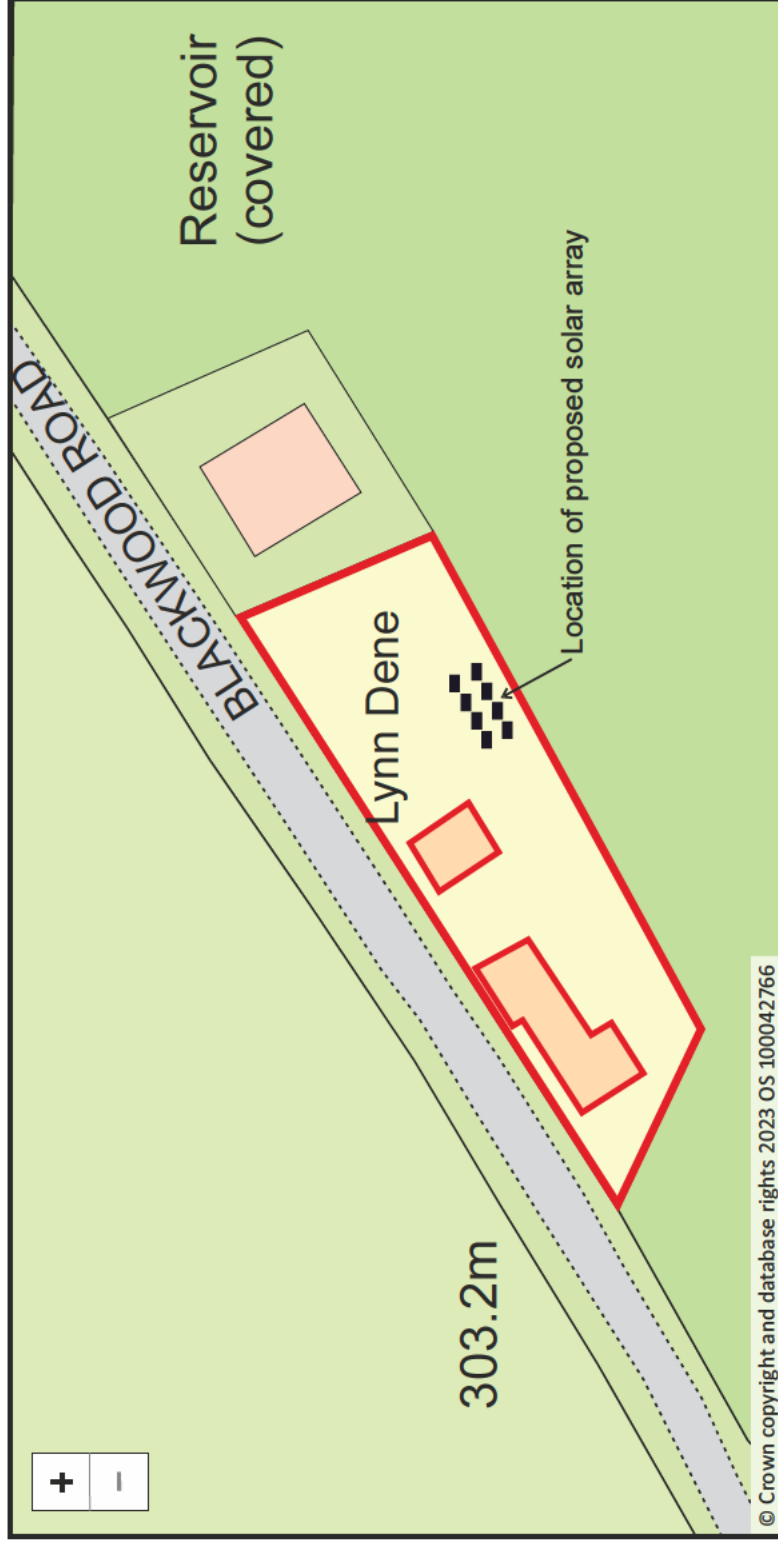
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Postcode

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Date Produced: 2 Nov 2023
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Dear Sir/Madam,

Town and Country Planning Act 1990

**INSTALLATION OF 1 STAND ALONE/GROUND MOUNTED SOLAR PANEL WITHIN A
RESIDENTIAL GARDEN
LYNDENE BLACKWOOD ROAD, GARTH, WREXHAM.**

DEVELOPMENT PLAN POLICIES

Wrexham Unitary Development Plan 1996 – 2011
GDP1 Development Objectives

Draft Local Development Plan
DM1 Development Management Considerations

LOCAL PLANNING GUIDANCE NOTES

LPGN 33 Pontcysyllte Aqueduct and Canal

RELEVANT PLANNING HISTORY

P/2015/0822 – Installation of one free standing array of solar panels within garden – GRANTED.

VALIDATION INFORMATION

A formal planning application would need to be accompanied by the following to be validated;

- Householder planning application forms;
- 1:1250/1:2500 site location plan with the land subject to the application edged red and any other land in your ownership edged in blue;
- 1:200/1:500 existing and proposed block plan showing parking, bin storage, private amenity space and visibility splays with the site edges in red/black;
- Planning application fee (£230)

ADDITIONAL INFORMATION

- Heritage Impact Assessment

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.*

*We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.*

CASE OFFICER OPINION

This enquiry seeks confirmation as to whether planning permission is required for the erection of ground mounted solar panels within a residential garden.

There is potential for the proposed solar panels to be erected under permitted development rights. Part 40, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2012 allows for the installation, alteration or replacement of standalone solar within the curtilage of a dwellinghouse.

Development is not permitted by Class B if;

- a) In the case of the installation of standalone solar, it would result in the presence within the curtilage of more than one standalone solar;
- b) Any part of the standalone solar –
 - i) Would exceed four metres in height;
 - ii) Would be installed within five metres of the boundary of the curtilage of the dwellinghouse and would –
- aa) exceed two metres in height; or
- bb) be installed within five metres of a highway;
 - iii) Would, in the case of land within a conservation area or World Heritage Site, be installed so that it is between a highway which bounds the curtilage of the dwellinghouse; or
 - iv) Would be installed within the curtilage of a listed building; or
- c) The surface area of the solar panels forming part of the standalone solar would exceed nine square metres or any dimension of its array (including housing) would exceed three metres.

Given the proposed solar array would measure 17.28m², it is considered that the proposed development could not be erected under Permitted Development and therefore, a formal application for Planning Permission will be required.

The application site is located on the south eastern slopes of Ruabon Mountain which forms an important background to wider views from the Pontcysyllte Aqueduct and Canal World Heritage Site Buffer Zone. The site is also located within the Clwydian Range and Dee Valley AONB and as such the impact of the proposals upon both the landscape character of the area and the potential impact upon the Outstanding Universal Value of the World Heritage Site will be a determining factor.

The proposed solar array will be four panels long and two panels deep, measuring 17.28m² and being no more than 2 metres in height. The area on which the panels are to be installed is flat, screened from roadside views by existing ancillary buildings and hedging, and screened from wider views from across the Dee Valley, Fron and the WHS by an existing mature hedge boundary which runs along the south west boundary of the proposed solar panel site. This hedge, which should be retained, along with the flat topography of the site will obscure the panels from views and as such will protect the existing landscape character of this slope of Ruabon Mountain and OUV of the WHS.

Conclusion

Based on the submitted information it is likely that a formal application for planning permission would be supported however, consideration should be given to any screening which could help

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minimise the impact of the proposed development on the WHS and AONB. I would recommend that any formal planning application is supported by a Heritage Impact Assessment.

Planning Process

In the event that a formal planning application is submitted to the Local Planning Authority and it is confirmed that the application is valid, the LPA will consult with your local community council (and any other relevant parties such as the highway authority) requesting their comments on the merits of your proposed development. We will also notify the occupiers of the neighbouring properties and your elected local member.

Should any objections to your proposed development be received from any of the above mentioned consultees, your application may be reported to the planning committee who will make the decision as to whether planning permission should be granted. The planning committee meet on the first Monday of each month and you will have the opportunity to speak to the planning committee in support of your application. Please note that in order to speak you must register with me by 16.00 hours on the Friday preceding the meeting.

Please note that the above advice has been based upon the details submitted, if any details have been altered, left out or are inaccurate then it may affect the validity of this response. These comments are made without any prejudice to any formal decisions of the Local Planning Authority. Please also be advised that this response is based on the information available. It does not constitute a formal determination under the Town and Country Planning Act 1990. Any opinions contained in this response are those of the officer concerned and cannot be held as binding to the Council or its members.

If you have any queries or require any further assistance, please do not hesitate to contact the office at the above address or telephone number.

Yours faithfully,

Amy Brittain

Economi a Chynllunio

Economy and Planning

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In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application



Applicant MRS PATRICIA STEIN

Code No LLR-P/2015/0822

Agent ECOScheme
MISS HANNAH BELL
UNIT 3-4
ATHENA DRIVE
GRIMSBY
DN31 2UE

Date 30/10/2015

Received

Decision 27/11/2015

Date

TOWN AND COUNTRY PLANNING ACT, 1990

Location of application

LYNDENE, BLACKWOOD ROAD, GARTH, WREXHAM, LL20 7YL

Description of application

INSTALLATION OF ONE FREE STANDING ARRAY (TWO ROWS OF 8) SOLAR PANELS WITHIN GARDEN AREA

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

GDP1 Development objectives
PS2 Development and the environment

Particulars of decision that permission be GRANTED

Subject to the following:-

Condition(s)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The existing hedge along the south eastern boundary to the rear of the site shall not be removed or reduced in height to below 5ft.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

Note(s) to Applicant

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

Applicant	MRS PATRICIA STEIN	Code No	LLR P /2015/0822
Agent	ECOScheme MISS HANNAH BELL UNIT 3-4 ATHENA DRIVE GRIMSBY DN31 2UE	Date Received	30/10/2015
		Decision Date	27/11/2015

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information Enclosed or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm









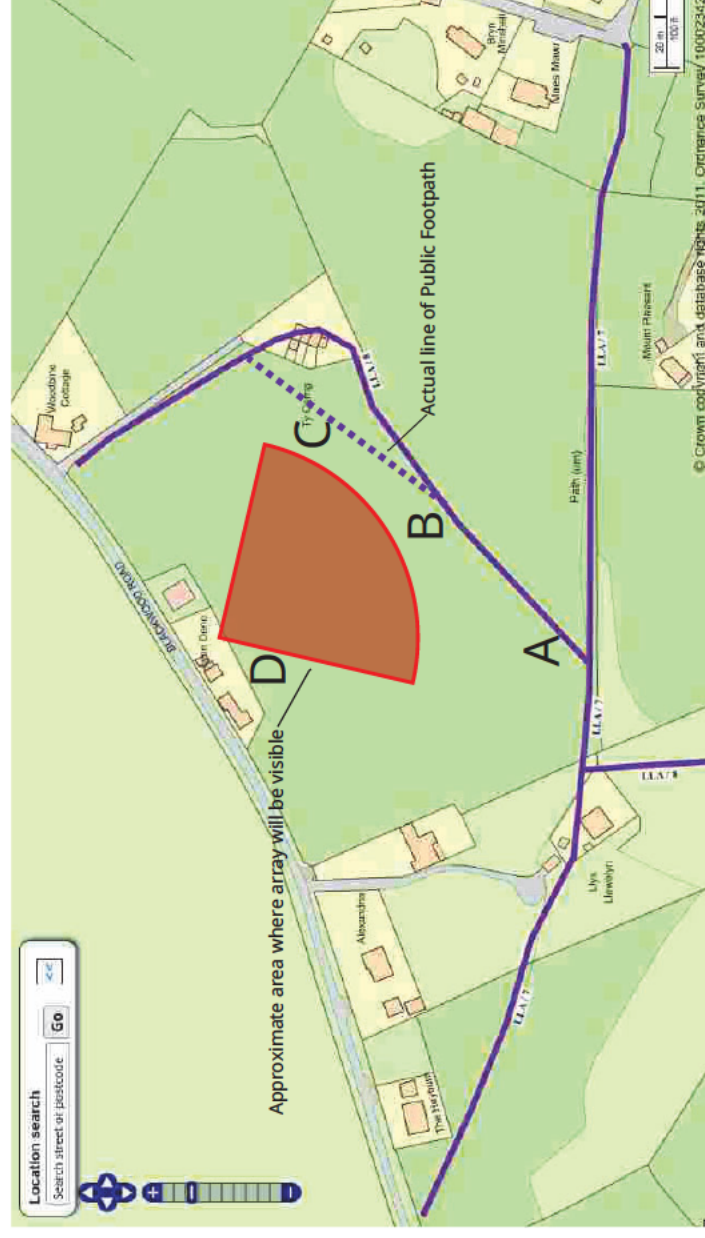
Photographs showing location of proposed array, showing visibility from closest publically accessible land

Photographs taken from Public Footpath Llangollen Rural 8 (Note: the route used follows the hatched line, not the solid line which runs through Ty Cerrig buildings)

The viewshed (red area where array would be visible) is approximately 8,883 Sq. meters / 0.008883 Sq. kilometers

Please note the array will be at a lower height than the adjacent polytunnel (which is barely visible)

Each photo is followed by a zoomed in photograph (at 7.5 digital zoom)



The red line shows the line of the Footpath taken from Location A, ending at location B (location C is hidden and to the left of the tree behind the nearby pole)



Location A (130m away)



Location B (96m away)



Location C (85m away)



Location D (10m away, but on private land)

