

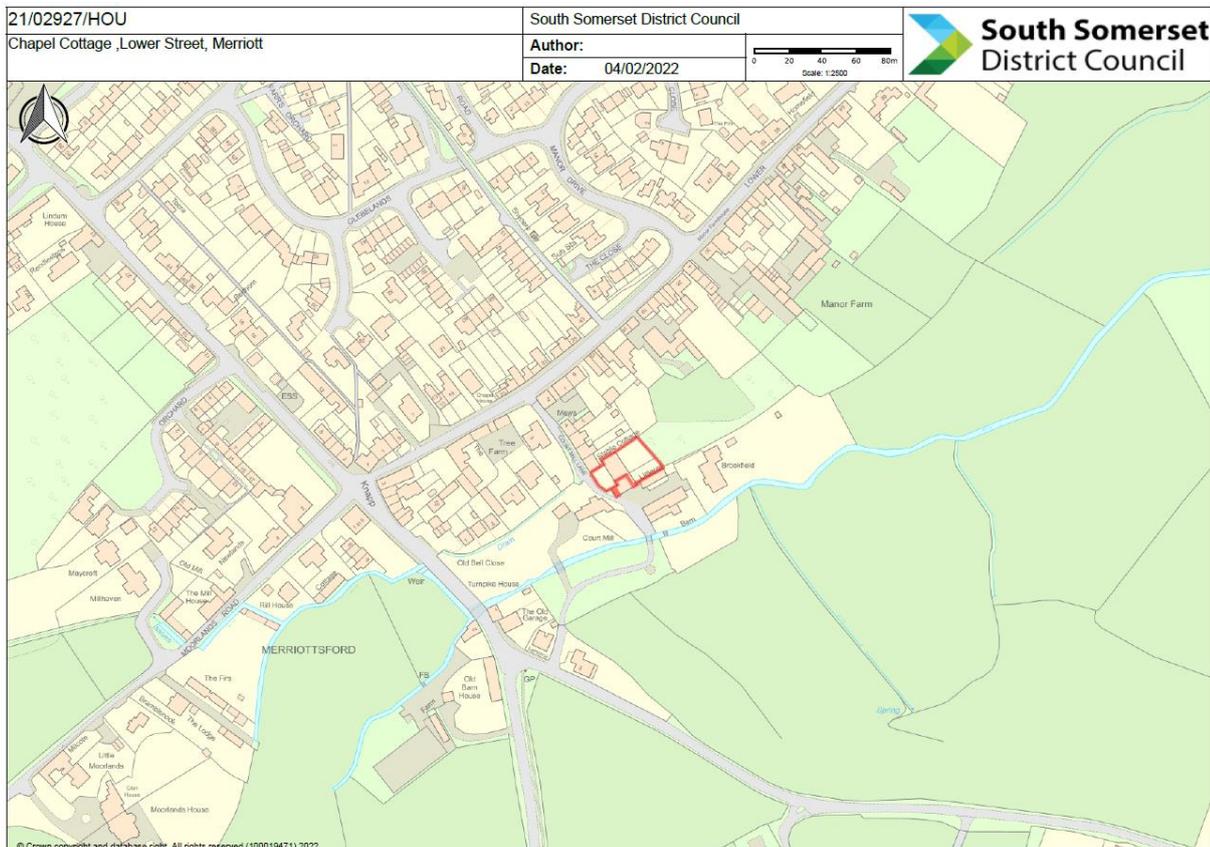
## Officer Report On Planning Application: 21/02927/HOU

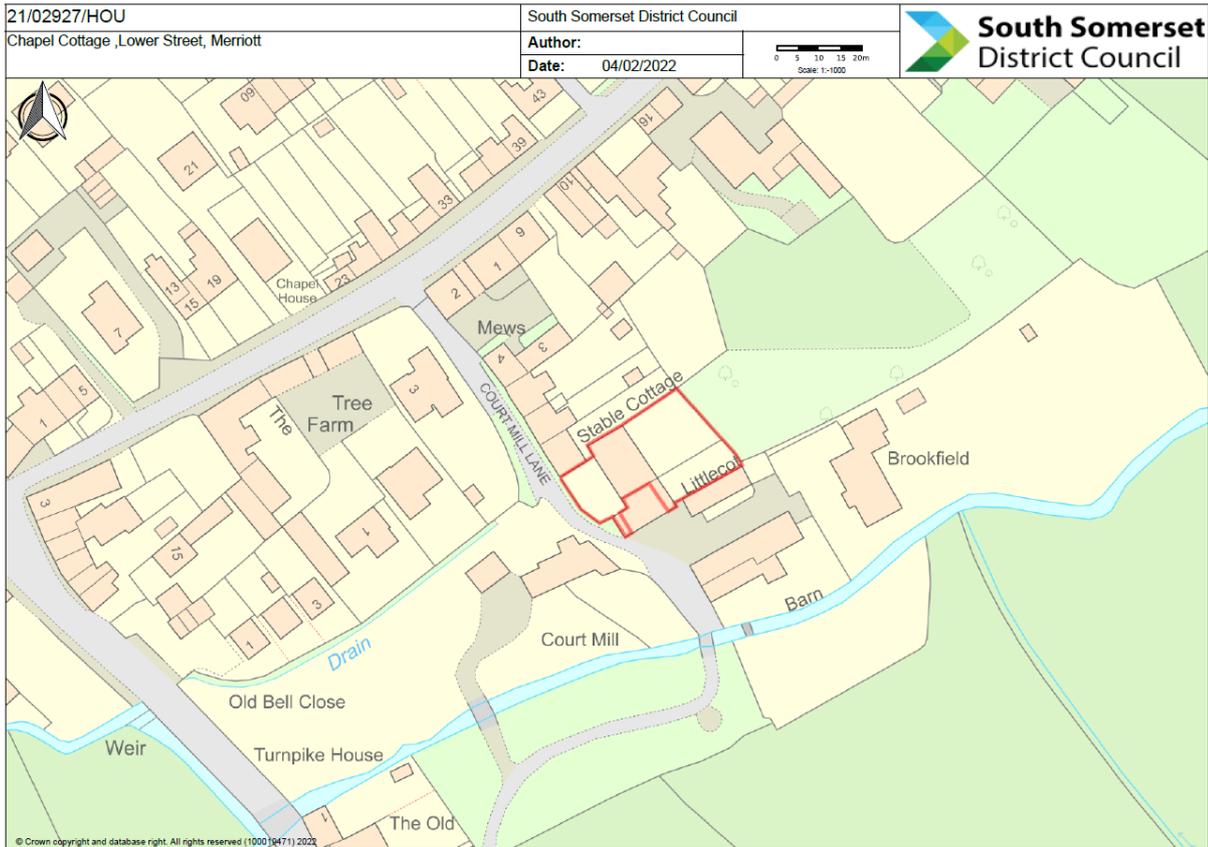
<b>Proposal :</b>	Formation of an internal window opening and the installation of 10No. solar panels on 2No. garages.
<b>Site Address:</b>	Chapel Cottage , Lower Street, Merriott, TA16 5NL
<b>Parish:</b>	Merriott
<b>EGGWOOD Ward (SSDC Member)</b>	Cllr Paul Maxwell
<b>Recommending Case Officer:</b>	Nick Toop (Case Officer)
<b>Target date :</b>	6th December 2021
<b>Applicant :</b>	Mr & Mrs Paul Maxwell
<b>Agent: (no agent if blank)</b>	Ms Kim Sankey Angel Architecture Ltd Unit 4, Herringston Barn Herringston Dorchester, DT2 9PU
<b>Application Type :</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred directly to the Area West Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

### SITE CONTEXT/DESCRIPTION:





The application site is a two storey dwellinghouse constructed of ham stone between a slate roof. This is a Grade II Listed Building of late 17th Century origin, however according to the Listing; contained within the building are elements of a former chapel believed to date to the early 15th century. The property has been altered substantially over time. The building was subdivided into two individual dwellings in 1967 but was returned to being a single dwelling in late-2010.

This is a residential setting located to the south of Merriott, the dwelling sits near the outskirts of the village in close proximity to a number of residential neighbours, including another Grade II Listed Building known as Court Mill. The site also falls within the Designated Merriott Conservation Area.

In the late 1960's, permission was granted for the erection of a block of garages to be attached to the south side of the Listed Building, two of the five garages in situ are under the ownership of the applicant and it is proposed to install an array of solar PV panels on the flat roof of the garages. The applicants have set out in their Design & Access Statement that the solar panels above both garages would serve car charging points, with any surplus energy to be sold back to the utilities grid.

**HISTORY**

10/04194/LBC - The carrying out of both internal and external alterations to convert the 2 No. existing dwellings into a single dwelling unit - Application permitted with conditions - 09/12/2010

09/03851/LBC - The installation of a rear-facing ground floor window - Application permitted with conditions - 18/11/2009

942499 - The installation of a velux rooflight in east (rear) elevation of dwellinghouse (Listed Building Consent) - Approved 14/12/1994

78503/A - The conversion of existing buildings into 2 units of living accommodation - Approved 22/02/1967

78503 - The conversion of existing building into 2 units of living accommodation - Refused 20/01/1967

72626/D - Erection of 2 private garages & use existing access - Approved 26/03/1968

72626/B - Erection of 3 private garages & use existing access - Cond. App. 16/02/1967

## **POLICY**

### South Somerset Local Plan 2006-2028:

Policy SD1 - Sustainable Development

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - Design And General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA5 - Transport Impact On New Development

Policy TA6 - Parking Standards

### NPPF 2021:

Chapter 2 - Achieving sustainable development

Chapter 12 - Achieving well-designed places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

### Planning Practice Guidance:

Design: Processes and Tools 1st October 2019

### Additional Guidance

National Design Guide - 1st October 2019

Somerset County Council Parking Strategy (September 2013) and Standing Advice (June 2017)

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

Historic England Guide - Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)

## **CONSULTATIONS**

### **Town/Parish Council**

Merriott Parish Council: Dear Sir / Madam, At our meeting on 8TH NOVEMBER 2021, it was decided that we have NO OBJECTIONS to this application.

### **Other Consultees**

Highways Authority: Standing Advice Applies

**Highways Consultant:** No highways issues - no objection

**SSDC Conservation Specialist:** The Conservation Specialist confirmed that he has no concerns with the proposed installation of the internal window between the dining room and the chapel.

Detailed discussions and correspondence were held between the Specialist, the Case Officer and the Agent regarding the proposed solar panels, in which clarification was sought as to the manner in which the panels would be installed on the roof and the design/model of the panels themselves. The Conservation Specialist advised that it was important to ensure that the solar panels nearest to the west did not appear above the existing parapet wall in order to achieve appropriate screening and not impact the setting of the Conservation Area or the neighbouring Listed Building known as Court Mill, the Specialist considered that the position and appearance of the panels on the eastern garage was suitable due to the level of distance from the public road and the neighbouring Listed Building. It was suggested that the parapet wall to the west of the garages could be increased in height in order to screen any view of the panels, however ultimately the applicant opted not to pursue this approach. The initial design/model of solar panels selected was considered too thick by the Specialist as this resulted in a projection above the height of the parapet from the westernmost panels, however an alternative product was selected by the applicant, resulting in panels with a thinner profile which would not project above the western parapet. The Specialist confirmed that he was better satisfied with the final selection for the solar panels in addition to the pitch in which they would be established on the roof of the garages.

The agent supplied a statement setting out that the installation of the solar panels on the garage roof shall not harm the setting of the neighbouring Grade II Listed Building known as Court Mill but would result in low-level less than substantial harm to the setting of Chapel Cottage itself due to the level of intervisibility. However, it is suggested within the statement that the installation of the solar panels shall provide a public benefit by enabling the applicant to generate energy for the charging of two cars, thereby reducing the amount of carbon consumption by the applicants. The Conservation Specialist agreed with the assessment that the proposed development would result in low-level less than substantial harm and advised that the merits of the suggested public benefit would need to be assessed by the case officer.

### **Neighbour Comments**

Three neighbours notified by letter/Site notice displayed on 25th October 2021/Press Advert placed on 28th October 2021 - No representations received.

## **KEY CONSIDERATIONS**

### **Visual Amenity/Impact on Historic Environment/Public Benefit**

The proposal shall see the installation of a set of solar PV panels on the corrugated iron roof of the two garages attached to the south side of the Listed Building which are under the ownership of the applicant. The garages in question are sited to the far left (west) and far right (east) of the row, the remaining three garages in between are all under alternative ownership. It is noted that the two westernmost garages are lesser in height than the other three, these being slightly later additions to the site. The roof of the two lower garages is approximately 75cm lesser in height than that of the other three. There is a stone parapet wall on the western garage which sits approximately 75cm above the roof of the garage.

All five garages were constructed following the grant of consents in the late 1960's and are not original features of the Listed Building. As such, it is considered that the installation of solar panels on the roof of these garages shall not interfere with any historic fabric.

During the course of the application, the agent was advised that the installation of solar panels above the garage roof was acceptable in principle, providing that the appearance and manner of installation would be such that the setting of the surrounding heritage assets would not be adversely impacted. It was considered that the panels on the eastern garage would not be contentious because despite the greater height of this garage, the position was considered to be appropriately set back from the highway and the neighbouring Grade II Listed Building (known as Court Mill). However, there were concerns in relation to the western garage (which is closer to the public road and Court Mill) as the thickness of the solar PV units that were originally proposed would have resulted in the panels appearing above the existing parapet on the west of the garages, this would have been considered harmful to the setting of the Conservation Area and of Court Mill. The applicant briefly considered increasing the height of the parapet wall, though ultimately this was not pursued.

However, during the course of the application, the applicant was able to obtain an alternative selection for the solar panel product which had a notably thinner profile. As a result of the reduced thickness, it was possible to illustrate that the alternative proposed panels on the western garage would not project above the parapet wall. Following the changes to the profile, it was considered that the proposal was more suitable to the setting of the heritage assets. As such, amended plans were submitted to demonstrate the revised approach. No representations have been received with any objection to the proposals.

The Conservation Specialist agreed with the agent's statement that the solar panels would be considered to result in low-level less than substantial harm to the setting of Chapel Cottage (Grade II Listed Building) and referred to the Case Officer to assess whether the application would introduce a sufficient public benefit.

Paragraph 202 of the National Planning Policy Framework 2021 states that "*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 optimum viable use.*"

Paragraph 8 of the National Planning Policy Framework sets out the three overarching objectives of the planning system. In particular, Paragraph 8(c) specifies that there is an environmental objective, including the following;

*to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy*

It is considered that the provision of opportunities for micro-generation, which forms a fundamental basis of the proposed development (through the installation of the solar PV panels), would accord with part of the environmental objective of the planning system to protect the natural environment through 'adapting to climate change' and 'moving towards a low carbon economy', and that this constitutes as a form of public benefit. It is considered that whilst the

proposed development would result in less-than-substantial harm to the host Listed Building, the level is at the lower end of less than substantial and the public benefit identified carries sufficient weight to offset the degree of less than substantial harm caused by the proposals.

As such, it is considered that the proposed development is capable of respecting the established character and appearance of the Designated Merriott Conservation Area and shall not harm the setting of the neighbouring Grade II Listed Building (Court Mill). It is deemed that the proposals shall result in very low-level less than substantial harm to the host Grade II Listed Building (Chapel Cottage) but that there is a sufficient public benefit to outweigh the impact of this harm. The application is therefore considered to be in accordance with Policies EQ2 & EQ3 of South Somerset Local Plan (2006-2028) with regards to Visual Amenity and preserving the Historic Environment.

### **Residential Amenity**

It is considered that the proposed solar panels will not result in any undue overshadowing or overbearing to neighbouring dwellings. There are no external openings proposed as part of the scheme and therefore neighbour privacy shall not be impacted. As such it is considered that the development will not have a demonstrable harmful impact on the amenity of neighbouring residents and therefore is in accordance with Policy EQ2 of South Somerset Local Plan (2006-2028) with regards to residential amenity.

### **Highways**

There are no highways issues associated with this application.

### **Climate Change**

Policy EQ1 of the Local Plan states that '*Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity*'. The proposed development includes the installation of an array of 10 photovoltaic panels to facilitate the generation of renewable energy on the site, specifically in relation to the charging of vehicles within the garages. As discussed above, it is considered that the proposed development would result in less than substantial harm to the host Listed Building but that this harm is considered to be at the lower end of the scale and there shall be a public benefit from the installation of the panels. As such, it has been established that there shall be no significant adverse impacts to Visual and Residential amenity, nor on the local heritage assets and the application is therefore considered to accord with Policy EQ1 of South Somerset Local Plan (2006-2028).

### **Biodiversity**

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also require proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

In this case there are no proposed alterations to the main roof of the dwellinghouse.

The applicant will be advised through informatives of the legal protection afforded to bats and

birds. As such, with the imposition of these informatives, it is considered that the proposal does not conflict with Local Plan Policy EQ4 or relevant guidance within the NPPF.

### **SUMMARY**

No objection is recorded. The proposed development is considered to be acceptable and the Case Officer recommends that the application be approved. The applicant is referred to the Area West Planning Committee as one of the applicants is the elected member for the Eggwood Ward and is also the Chairman of the Council.

### **OFFICER RECOMMENDATION**

Approve for the following reason:

01. The proposal, by reason of its size, siting, materials, design and limited interference with the historic fabric, causes no demonstrable harm to visual and residential amenity, biodiversity or highway safety and shall provide opportunities for micro-generation, the installation of the solar panels shall cause low-level less than substantial harm to the setting of the Grade II Listed Building though the public benefit achieved from the renewable energy infrastructure is sufficient to offset this level of harm, in accordance with Policies SD1, EQ1, EQ2, EQ3, EQ4, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2021.

### **SUBJECT TO THE FOLLOWING:**

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans and details referenced:

- Location Plan: Drawing No. TQRQM21265101636102/2121
- Proposed Ground Floor Plan: Drawing No. 2121-02
- Sections A-A & B-B As Proposed: Drawing No. 2121-04
- Proposed West & South Elevations/Section Through Roof At Eaves: Drawing No. 2121-05B
- Proposed Roof Plan/Section A-A: Drawing No. 2121-11B
- Proposed Site Plan: Drawing No. 2121-11
- Preliminary Technical Information Sheet - CanadianSolar (HiKu Mono: 400W-425W)
- Mounting System for PV (registered 13th January 2022)

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

03. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the provisions of the National Planning Policy Framework 2021.

**Informatives:**

01. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
02. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.