

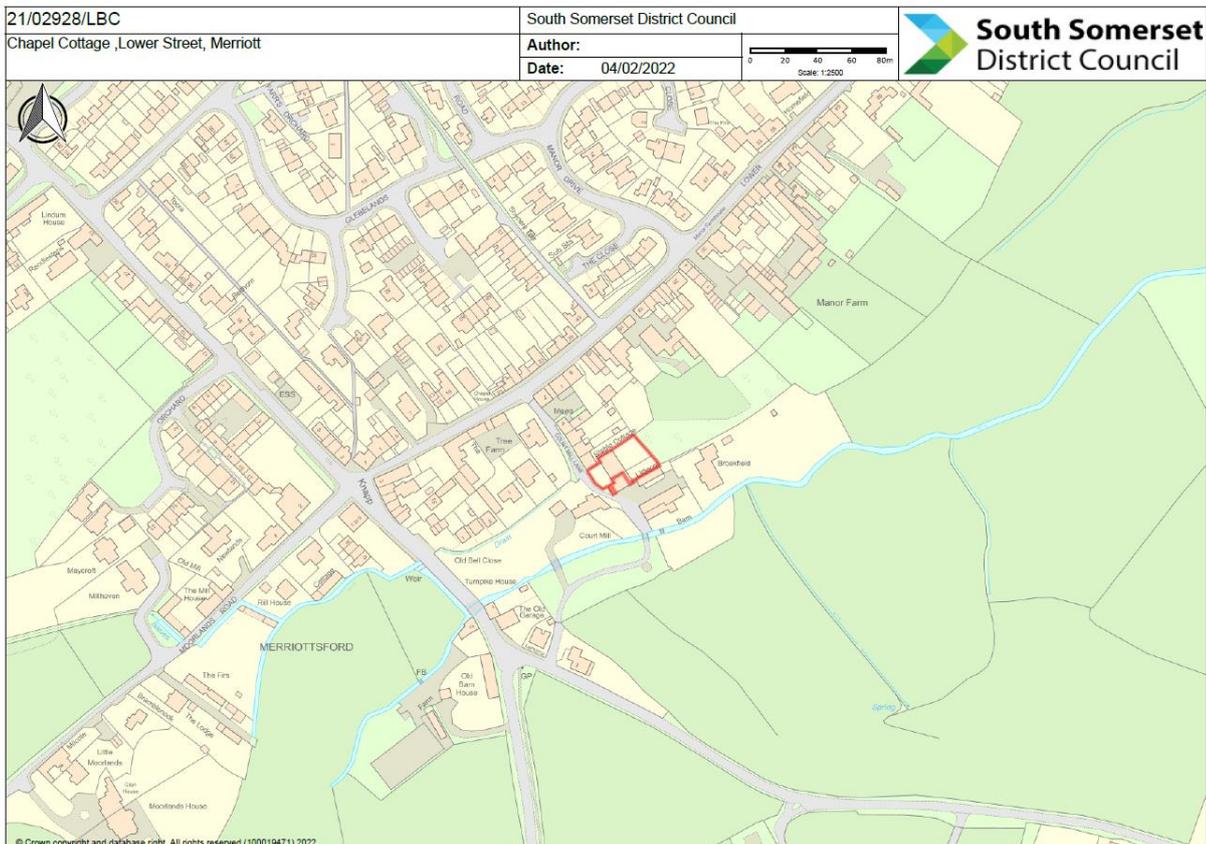
## Officer Report On Planning Application: 21/02928/LBC

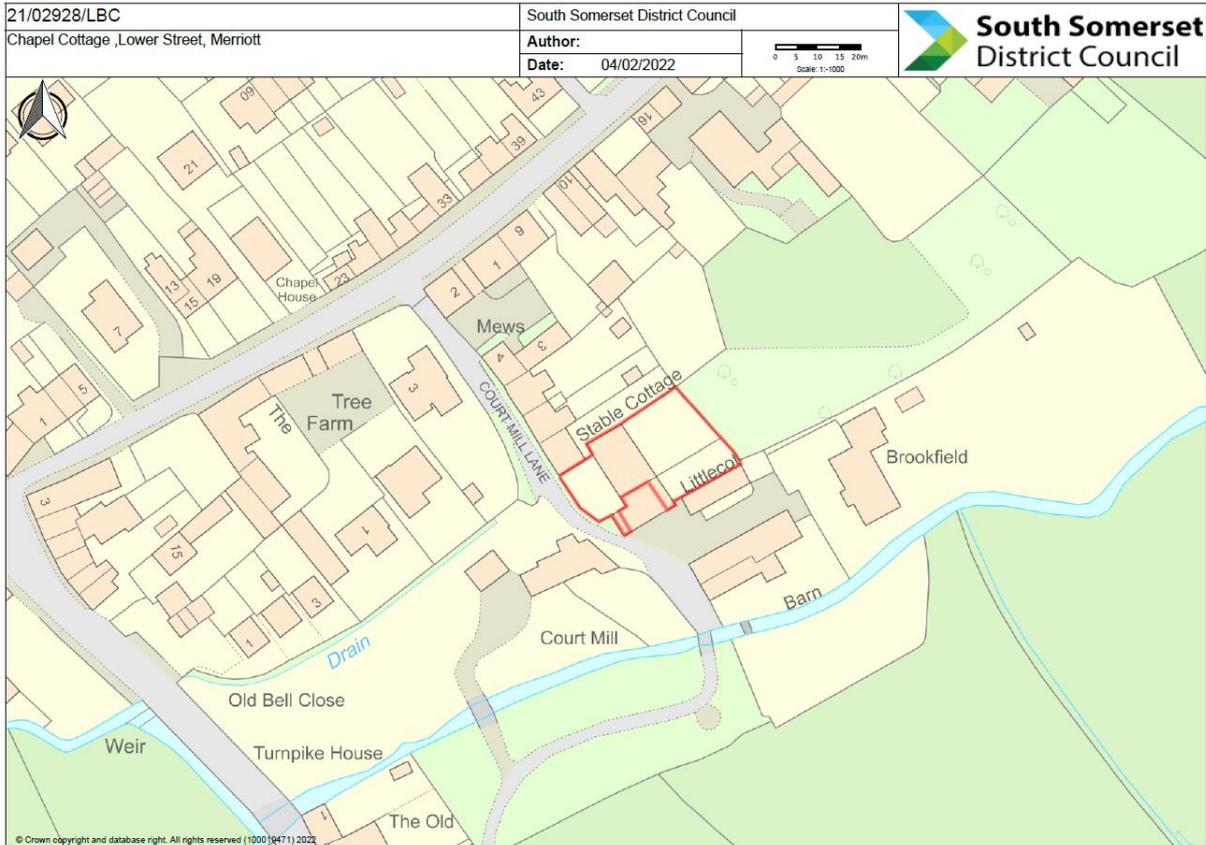
<b>Proposal :</b>	Formation of an internal window opening and solar panels on 2No garages.
<b>Site Address:</b>	Chapel Cottage , Lower Street, Merriott, TA16 5NL
<b>Parish:</b>	Merriott
<b>EGGWOOD Ward (SSDC Member)</b>	Cllr Paul Maxwell
<b>Recommending Case Officer:</b>	Nick Toop (Case Officer)
<b>Target 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 Heringston Dorchester, DT2 9PU
<b>Application Type :</b>	Other LBC Alteration

### REASON FOR REFFERAL 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.

This proposal is submitted jointly with an application for Listed Building Consent which also seeks permission for the formation of an internal opening within the main dwelling.

## 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:**

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

NPPF: Chapter 16 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building; park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

Policies of the South Somerset Local Plan (2006-2028)

Policy EQ3 - Historic Environment

Additional Guidance

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

**Parish Council**

No comments received in respect of the Listed Building Application from Merriott Parish Council, though no objection was made to the concurrent householder application.

**Other Consultees:**

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.

**Other Comments:**

A site notice was displayed on 25th October 2021/Press Advert placed on 28th October 2021. No representations were received.

**Impact upon Heritage Asset**

*Internal Window Opening*

The development would see the forming of a small opening in a brickwork wall between the chapel and the dining room on the ground level of the Listed Building. The Statement of Heritage Significance has identified that this wall was previously an opening which has since been blocked up with brickwork. It is proposed to install a small stone surround of 640mm x 440mm with horticultural glass fitted within the opening to form an internal window. The opening will have the shape of a small arch and it is noted this is similar in form to multiple windows on the exterior of the chapel on the north elevation of the Listed Building.

The Conservation Specialist has confirmed that there are no concerns with the installation of this window and this aspect of the application is therefore considered appropriate to the significance and historic fabric of the Listed Building.

## *Solar Panels*

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 three middle garages are 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 consent 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 the garages shall not interfere with any historic fabric.

The initial design/profile of the solar panels was considered inappropriate, however the applicant selected an alternative model with a thinner profile which shall not allow the panes to project over the parapet wall. This was considered to preserve the setting of the Conservation Area and the neighbouring Listed Building, known as Chapel Cottage. Amended plans were submitted to demonstrate the revised approach. No representations have been received with any objection to the proposals.

In reference to the host Listed Building (Chapel Cottage), the agent has identified that the installation of the solar panels would be considered to result in low-level less than substantial harm to the setting of Chapel Cottage. The Conservation Specialist confirmed this assessment over the level of harm and has referred to the Case Officer to assess whether this aspect of the application would introduce a proportionate 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 form a fundamental basis of the proposed development (through the installation of the solar 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 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.

**Summary:**

The Conservation Officer has, in his comments, indicated that the proposed interior window is acceptable but has also advised that the proposed solar panels would cause low-level less than substantial harm to the setting of the Listed Building. The Conservation Officer's advice attracts significant weight and a sufficient public benefit must be identified to offset the level of less than substantial harm caused by the proposals.

It is considered that the public benefit that would be introduced from the installation of the solar panels is proportionately capable of outweighing the low-level less than substantial harm which has been identified in relation to the development given that this would support the endeavour to address climate change and assists in achieving the environmental objective of the Planning System, as set out within the National Planning Policy Framework 2021.

As such, it is considered that the proposed application is in accordance with Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework 2021.

**SUMMARY**

No objection is recorded from the parish council or any neighbours. The Heritage Specialist has confirmed that the proposal would cause low-level less than substantial harm to the Listed Building though the Case Officer considers there to be a sufficient public benefit. As such, the proposed development is considered 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 proposed interior window is considered acceptable to the significance of the Listed Building and the proposed solar panels by reason of the design, scale and position is considered to result in low to medium end less-than-substantial harm to the Grade II Listed Building. However, it has been established that there is a public benefit with the scheme which is considered sufficient to offset the level of harm identified, and the application is therefore in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-28, and the provisions of the National Planning Policy Framework 2021.

**SUBJECT TO THE FOLLOWING:**

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) 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.