CASE OFFICER'S REPORT

Application Reference:	PL/2023/05321
Application Type:	Wiltshire Council R3
Site Inspection:	
Consultation ends:	24 August 2023
Case officer:	Lucy Rutter-Dowd

Site Address:	Devizes Library, Sheep Street, Devizes, Wilts, SN10 1DL
Proposal:	Installation of monocrystalline photovoltaic panels on the flat roof of the library
Recommendation:	Approve with Conditions

Site Description and Proposal

Devizes Library is positioned in the centre of Devizes and sits on the western side of Sheep Street, opposite the Grade II listed Baptist Chapel and within a conservation area. The building itself is of no particular architectural merit, presumably concrete built and with a flat roof, perhaps circa 60's or 70s. The site neighboured to south by residential properties and to the north by a carpark and offices. There are no other known constraints at the site.

The application seeks permission for the installation of an array of solar panels to the roof of the building in the interest of contributing to Wiltshire's role of becoming carbon neutral and to avoid the use of fossil fuels and associated running costs.

Policy

National:

National Planning Policy Framework 2023 (NPPF)
Planning Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local:

The adopted Wiltshire Core Strategy (WCS) and made Neighbourhood Plans:

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 41 – Sustainable construction and low-carbon energy
- Core Policy 57 - Ensuring high quality design and place shaping
- Core Policy 58 - Ensuring the conservation of the historic environment

Key Issues

• Principle of development
• Design and visual impact.
• Impact on neighbour amenity.
• Heritage Impacts
• Climate Impacts

Consultation responses

Climate Team - Support, comments included within report.

Devizes Town Council - No objection.

Conservation -No objections. Comments included within report.

Letters of representation

Trust for Devizes - No objections.

Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

Core Policy 2 of the WCS states that *"Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages."* Devizes is defined as a Market Town within the WCS, where there is presumption in favour of sustainable development, the proposal is therefore considered to be acceptable in principle.

Design and visual impact.

Core Policy 57 of the Wiltshire Core Strategy states that *"A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality."* Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting.

The proposed panels would be situation on the roof of the building and largely screened from view. It is considered that the proposal would not negatively affect the existing pattern of

development. The building is not historic and the panels would not look at odds with the relatively modern design of the building.

Impact on neighbour amenity.

The height of the existing building sits at a higher level than most of the surrounding properties, it is possible that the residential units across the road may have a partial view of the panels, however the panels would predominantly be situated on the southern side of the roof facing towards the properties to the south, all of which sit at a lower level to the library and would therefor not be affected by the panels.

Heritage Impacts

The following comments have been received from the councils conservation officer:

Assessment: *Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, whilst the application is accompanied by a "Design Statement" the document fails to provide any objective assessment of the impact of the proposals on the heritage assets affected, and as a result, it fails to meet the requirements of the NPPF.*

However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

This application is seeking to utilise the amount of flat roof space that the PV will cover, in order to introduce self-generated renewable electricity at the site. The panels will follow the line of the roofs with no more than 10- degree incline for efficiency, so as to minimise the visual impact and reduce any impact on the character and appearance of the conservation area and the setting of nearby listed buildings. With the building parapet in place and the shallow incline of the erection of the PV's, it is likely that the panels would also be mostly hidden from the street view at eye level.

The PV's would be seen from upper floors of some nearby taller buildings. However with the greater acceptance of the need for renewable energy to tackle climate change, and the distance involved, the impact on the proposal on heritage assets will be minimal.

If the Planning Officer is minded to approve planning permission, I would ask they attach the following conditions:

i) The colour of the PV panels, reflectance, and finish
ii) Their removal from the roof at the end of their useful life, and
iii) The colour of the framework.

Summary & conclusion: *The NPPF confirms 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 (and the more important the asset, the greater the weight should be). It*

makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The impact of the proposal on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

In light of these comments, the Planning Officer requested additional information in the form of a Technical Specification Sheet which confirms the colour of the panels to be black. The documents originally submitted confirm that the panels will sit on black framing. This, coupled with the discrete positioning of the panels is considered acceptable for the historic location as such, the conditions proposed (excluding the condition securing their removal following the end of their useful life) are considered unnecessary.

Climate Impacts

The following comments were received from the councils Climate Officer:

Addressing climate change is a spatial objective of the Wiltshire Core Strategy - a key document in the development plan. This is consistent with the National Planning Policy Framework which seeks to radically reduce greenhouse gas emissions as part of the planning system helping to support the transition to a low carbon future.

The proposal will provide renewable energy and so reduce greenhouse gas emissions and help to tackle climate change. As such the proposal clearly conforms with these elements of both local and national planning policy.

I note that the site is located within a designated conservation area where there are listed buildings. However, the council's conservation officer considers that the proposal would have a neutral impact on the designated heritage assets. It is clear that any potential impact has been mitigated as far as practically possible through the siting and low profile of the panels. As such, they would not be likely to be seen from the public realm. Furthermore, they would be sited on a modern building, upon the roof where ancillary equipment is quite typical in any urban environment.

Even if some degree of harm to heritage assets were to be found, then this is likely to be at the very lower end of less than substantial harm and would be clearly outweighed by the public benefit of addressing climate change.

In conclusion, the climate team support this proposal, which conforms with the development plan and meets wider council objectives in pursuit of being a carbon neutral council by 2030.

Conclusion

In conclusion, the proposed application seems fitting with regard to scale, design, and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (3)

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Doc Title: Application Form.
Drg Title: Location Plan.
Drg Title: PV Panels Sketch of Mounting Heights.
Drg Title: Block Plan.
Doc Title: Van der Valk Solar Systems Technical Specification Sheets.
Drg Title: Proposed Roof Plan, Elevations, Block Plan and Location Plan. Drg No: 1390-101. Rev: A.
Doc Title: Technical Specification Sheet – Half-cell Black Module. Produced by: Deep Blue 3.0. Light.

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

3 Within 3 months of the Solar Panels hereby approved becoming obsolete and or disused, the building will be restored to its former condition as it was prior to their installation.

REASON: In the interests of amenity, in order to secure the restoration of the building upon removal/extinguishment of the solar panels and to avoid potential harm and injury to the character of the area.