DELEGATED REPORT

Application Reference:	PL/2023/08870 & PL/2023/09251
Application Type:	Planning Permission and Listed Building Consent
Site Address:	Byde Mill Farm, Thingley, Corsham, SN13 9QH
Proposal:	Install photovoltaic solar panels to south facing part of existing kitchen roof.
Recommendation:	That Planning Permission and Listed Building Consent is GRANTED

PROPOSAL

This application seeks Planning Permission and Listed Building Consent for the installation of solar panels on the south facing roof of the C18 building at Byde Mill Farm.

The application sets out the following components for which permission and consent are sought:

- Installation of 8 solar panels on south facing roof

The development and works are intended for purposes associated with the occupation and use at Byde Mill Farm, as a single residential dwellinghouse.

DESCRIPTION/CONTEXT

Byde Mill Farmhouse is a detached late C18 listed building, situated outside the settlement boundary south of Thingley. The dwelling is set in a rural location and formed the original farmhouse for Byde Mill Farm. It has since been separated to create Byde Mill Farmhouse and Byde Mill Barn (both sold separately). The site is situated on a large plot at the end of Byde Mill Lane with Byde Mill Cottage situated southeast of the site. Open space/ agricultural land sit northeast and southwest of the project site.

Byde Mill Farmhouse is a Grade II Listed detached dwelling. The dwelling is described by Historic England as follows:

> *ST 86 SE 3/11 CORSHAM BYDE MILL LANE Byde Mill Farmhouse*
>
> *II Farmhouse, late C18, rough rendered rubble stone with mansard roof and central ridge stack. Two storeys, 'T'-plan. Main range has full height canted bay at east end with three 12-pane sashes to each floor in flush stone surrounds, moulded cornice and parapet. Projecting north wing has formally treated blank north front, pedimented with two-window range of blank openings. East side has cornice and parapet continued from main range, ashlar northeast pier, first floor 12-pane sash in flush surround with sill course and six-panel*

door in panelled pilaster frame with hood on brackets. South side has 12-pane and one blank window to first floor and two dormers. C20 ground floor windows.

Listing NGR: ST8971869170

The site is located within the Cotswolds/ Avon Vale Countryside Character Area but is not covered by any landscape or ecological designations.

RELAVENT PLANNING HISTORY

16/08419/FUL	Change of Use of an area of the curtilage from Agricultural to Residential use to enable the erection of a gazebo.	Approved
16/07791/LBC	Erection of Wooden Gazebo in Southwest corner of Garden.	Withdrawn
N/03845/LBC	Installation of woodboring stove and metal chimney	Approved
N/11/00838/FUL & N/11/00610/LBC	Erect timber shed against boundary wall.	Approved

POLICIES

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Corsham Neighbourhood Plan:
HE1: Ensuring Good Quality Design

Wiltshire Core Strategy Policies 2015 (WCS):
Core Policy 41: Sustainable Construction and Low-Carbon Energy
Core Policy 42: Standalone Renewable Energy Installations
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 58: Ensuring the Conservation of the Historic Environment

National Planning Policy Framework 2023 (NPPF)

ISSUES

The main considerations which are material to the determination of this application are listed below:

- Principle of development
- Impacts on Heritage and setting
- Design and scale
- Impact to residential amenity

CONSULTATION

Corsham Town Council: Comment:

> *Resolved: that, subject to the approval of Wiltshire Council's Conservation Officer, no objection be raised.*

Conservation Officer: Objection:

> *I conclude that the works do cause a degree of harm that in my opinion it is not sufficiently offset by the delivery of public benefits to be compliant with the NPPF.*
>
> *Paragraph 200 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, the applications are accompanied by a "Design and Heritage Statement" which provides some information to understand the impact of the proposals a however the evidence lacks sufficient assessment of the setting of building and the impacts of the proposal on the way that this setting and the wider perception of the building are experienced.*
>
> *The harm caused in this case is less than substantial and towards the lower end of the scale of less than substantial harm. This is on the basis that the works in question are reversible and concern a modest single storey section of the building partly shielded from view. The proposals will result in harm to the building change to original external form. The proposals involve only part of the building and could therefore be considered as causing 'less than substantial harm' for the purposes of interpreting the NPPF, but they involve the introduction alien and incongruous element to the roof of building that will not preserve the traditional appearance of the listed building and should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Sections 16 and 66 of the Act requires that any level harm caused should be taken seriously.*
>
> *The issue in this case is that the applicant has not demonstrated sufficient justification to explain the necessity for the proposed works or other options that have been considered in order to demonstrate that this is the most benign option available in this case in order to achieve the proposed degree of carbon saving.*

Was it not possible in this case for example to consider a free-standing array in curtilage of the building or could the insolation within the building not been upgrade to achieve similar carbon savings....

The harm in this case is attributed to the manner in which the array would affect the appearance of the building, the array would be mounted atop the existing tiled roof and break the plain of the existing roof, its dark colour synthetic flat finishes would be a sharp visual contrast to the traditional appearance of the existing roof surface which is a more muted reedy brown hues with a undulating texture.

REPRESENTATIONS

Consultation has been carried out and no objections were received by neighbouring properties or third parties.

ASSESSMENT

Principle of development

The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle. Furthermore, proposals for the installation of low carbon and renewable energy generation/installations are supported in principle by policies CP41 and CP42 to the Wiltshire Core Strategy.

However, the detail and other site-specific impacts, must also be considered against other relevant policies within the development plan and the guidance and provisions as contained within the National Planning Policy Framework.

Impact on listed buildings and their setting

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 16 and 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Core Policy 57, amongst other things, requires that applications for development should respect the historic environment, and be sympathetic to and conserving historic buildings and historic landscapes. Core Policy 58 requires that development should protect, preserve and where possible, enhance heritage assets.

The NPPF is a material planning consideration and paragraphs 195, 200 & 208 of the NPPF are relevant to the determination of the application. Paragraph 202 provides: 'Were 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, where appropriate, securing its optimal viable use.'

Significance of Byde Mill Farmhouse as a heritage asset

The detached listed building is situated on a large plot and built in the late C18. The dwelling is a rough rendered rubble stone with mansard roof and central ridge stack. The dwelling consists of a two-storey aspect and a single storey aspect that is situated on southwest elevation of the dwelling which makes room for a kitchen.

Within the submitted heritage statement it is explained that at some point prior to the early 2000s, the southern building (now kitchen) was later added to the main house via a lean to covered hallway. Stone roof tiles were placed on the northern elevation of the building; however, roman style roof tiles were placed on the lean to (which connects the main building to the converted kitchen building) and the southern roof elevation of the kitchen building. The solar panels being proposed will be situated on the southern elevation with the roman (newer) roof tiles.

Although not providing any substantive evidence to support the assertions made, the heritage statement suggests that the outbuilding upon which the panels would be placed is contemporary to the main building (historic aerial photographs show that the lean to was in situ in the early 2000's). Given the appearance of the building, there is no *prima facie* reason to believe otherwise, and for that reason, it is concluded that the former outbuilding contributes to the significance of the farmhouse as a traditional rural building of its type and as a heritage asset, albeit somewhat diluted because of the clay Roman tiles used for the courtyard facing roof, which conflicts with the stone slates used for the outward facing roof and the main house.

Assessment of harm

Rightly identifying the lack of information supplied within the submitted heritage statement, the Conservation Officer does not provide any analysis of the significance of the building. Nevertheless, they do identify harm caused by the addition of solar panels due to the impact on the appearance of the building's roof and the change to the original form. The Conservation Officer concludes that the harm would be less than substantial and the lower end of the spectrum.

In this case, the panels would be mounted of a roof that is not original (it being modern, dating from the early 2000s) and makes use of Roman tiles that are not reflective of the stone slates used for the remainder of the building and main house. Similarly, and as referenced by the Conservation Officer, whilst the panels would sit proud of the roof profile, they would be removeable and therefore the visual impacts not permanent/reversable. There is no loss of historic fabric. Similarly, the panels are of a domestic scale and are now a somewhat ubiquitous sight on both modern and historic buildings alike.

For the above reasons, the harm caused is considered to be less than substantial and very minor.

Public benefits

Whilst harm to a heritage asset would typically be unacceptable, paragraph 208 to the NPPF requires that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits associated with the proposals and be offset by public benefits wherever possible.

In respect of planning for climate change, Para 163 of the NPPF states that the LPA should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. The LPA should not require justification for the installation of renewable energy and the proposal will provide a sustainable energy solution which is considered to be of public benefit.

Whilst the comments from the conservation officer are noted, in this instance, it is clear that the proposal has a significant, demonstrable public benefits. Namely, the provision of sustainable, clean solar energy. Even if the energy generating capacity is relatively small and only of direct benefit to Byde Mill as a dwellinghouse, it will remain part of the overall need for the nation to shift to low carbon energy production and use.

Conclusion on harm and public benefits

As referenced above, the harm caused by the proposals to the significance of the site as a heritage asset, that harm is considered to be less than substantial at the very minor end of the scale. The public benefits associated with the installation of domestic scale solar panels are perhaps also small, but they remain part of the solution to meet the challenge of climate change and move to a low carbon energy economy, as is advocated in section 14 to the NPPF.

Whilst noting the comments of the Conservation officer, given this conclusion of the 208 balancing exercise and in light of the very limited harm identified, the public benefits which have also been identified are considered to outweigh that harm. Accordingly, the proposal is considered to meet with the requirements of section 16 to the NPPF, section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and constitute a material consideration that would overcome the limited conflict with policy CP58 to the Wiltshire Core Strategy.

<u>Design and Scale</u>

Core Policy 57 and Policy HE1 requires a high standard of design in all new developments; of particular relevance to householder developments is paragraph (iii) which require development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape, and rooflines to effectively integrate the building into its setting.

Good design helps to provide a sense of place, creates, or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing; the layout and design of new developments must also be based on a thorough understanding of the site itself and its wider context, and seek to maximise the benefits of the site's characteristics. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern and features. The proximity of poor quality or indistinct development is not a justification for standard of poor design solutions. New development should integrate into its surroundings whilst seeking to enhance the overall character of the locality. A high

standard of design is required in all new developments, including extensions, alterations, and changes of use of an existing building.

The solar panels are to be installed to a roof that faces to an internal courtyard and is largely hidden from overt public view. Plans show 2 rows of 4 panels (8 panels total) and would be considered a modest addition. They read as an example typical of this form of development and while the panels are clearly a modern intervention, they do no overwhelm or harm the character and setting of the building, being of a domestic scale. The design of the proposed panels is not considered to result in a harmful or detrimental addition to the appearance and bulk of the building.

Whilst there are views from the southern end of the road (towards end of the street), albeit limited, the solar panels would not appear unduly intrusive nor impact harmfully on the character of the area. The panels would lie on top of the existing roof slope at the same angle, therefore, would not appear prominent in the locality from the wider setting. In totality, the materials and design proposed in this location are considered to be acceptable additions in the context of the established residential context.

To that extent, the proposal is considered to be acceptable and comply with Core Policy 57 of the WCS, Policy HE1 of the Corsham Neighbourhood Plan and the NPPF.

Residential amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

In respect of residential amenity, there are no representations from interested third parties and it is not considered that the proposal would result in an unacceptable impact upon the residential amenity. The proposed solar panels are not considered to impact on the amenity of local residents as they are wholly within the curtilage of the property and whilst potentially visible from Byde Mill Cottage, would not impact harmfully on the outlook from the closest residential property due to its distance being roughly 50m from the boundary and naturally screened.

In the context of the nature and layout of the development, there is considered to be no unacceptable impact upon the amenities and living conditions of the neighbouring properties, thereby complying with the relevant provision of CP57 of the WCS.

CONCLUSION

The potential impacts of this development have been taken into consideration, along with comments received from the conservation officer. In terms of impacts to the listed building, it has been concluded that less than substantial harm on the lower end of the scale has been identified. However, it is outweighed by the public benefit, thereby overcoming the tests set out within the NPPF. In terms of design, appearance and amenity, the proposal would not harm amenity and

would not be unacceptable in relation to its design or appearance. The proposal is in accordance with the aims of the NPPF, the objectives of the relevant Core Policies in the WCS; 41, 42, 57 and 58 and Policies HE1 of the Corsham Neighbourhood Plan. It is therefore recommended that this application be approved with conditions.

RECOMMENDATION: That Planning Permission (Ref. PL/2023/08870) be GRANTED subject to the following conditions:

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:

Proposed Elevations: Received 16 November 2023
Block Plan: Received 4 November 2023
Design & Access Statement Revised : Received 24 February 2024
Solar Panel Technical Details: Received 4 November 2023
Roof Schematic & Installation Pic: Received 4 November 2023
Location Plan: Received 12 October 2023

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

RECOMMENDATION: That Listed Building Consent (Ref. PL/2023/09251) be GRANTED subject to the following conditions:

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Proposed Elevations: Received 16 November 2023
Block Plan: Received 4 November 2023
Design & Access Statement Revised : Received 24 February 2024
Solar Panel Technical Details: Received 4 November 2023
Roof Schematic & Installation Pic: Received 4 November 2023
Location Plan: Received 12 October 2023

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

3 The proposed solar panels and equipment hereby approved shall be removed as soon as reasonably practicable when no longer needed.

REASON: To protect the long-term visual amenity of the area.

INFORMATIVES:

1 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

2 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.