OFFICER REPORT

Case No: 25/00955/FUL Full Planning Application

Proposal: Installation of solar panels to outbuilding at the rear of the site

Location: 93 High Street Somersham Huntingdon

Applicant: Mr McCormick

Grid Ref: 536105 277946

DESCRIPTION OF SITE AND APPLICATION

The application site at 93 High Street is occupied by a two-storey semi-detached building and outbuilding to the rear, located within a residential area in Somersham. The application site falls within the Somersham Conservation Area, with the primary building classed as a Grade II Listed Building alongside a number of Grade II Listed Buildings along High Street. The application site falls within Flood Zone 1 of the Environment Agency's Flood Map for Planning.

This application seeks permission for the installation of solar panels to outbuilding at the rear of the site

An application for Listed Building Consent is also submitted alongside the current application for the same proposal under reference 25/00939/LBC.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP2: Strategy for Development
LP8: Key Service Centres
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP21: Town Centre Vitality and Viability
LP34: Heritage Assets and their Settings
LP35: Renewable and Low Carbon Energy

Neighbourhood Plan and relevant policies where applicable

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles parts 3.7 Building Form and 3.8 Building Detailing

Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022)

The National Design Guide (2021)

Somersham Conservation Area Character Assessment (2007)

Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

0301932FUL - Change of use and alterations to shop and flat to form dwelling (Permission)

0301933LBC - Alterations to shop and flat to form dwelling (Consent)

0602582FUL - Change of use from residential to offices (Permission)

0602583LBC - Alterations and replacement roof to outbuilding (Consent)

25/00939/LBC- Listed Building Consent for the installation of solar panels to outbuilding at the rear of the site (Pending Consideration)

CONSULTATIONS

Somersham Parish Council - No objections. State that the proposed solar panels are located on the outbuilding to the rear of the site, which preserves the street scene and look of the Conservation Area.

HDC Conservation Team - Recommend refusal, further comments in subsequent sections of this report.

REPRESENTATIONS

None received at the time of determination.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for Somersham. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider in the determination of this application are:

- The Principle of Development
- Design, Visual Amenity and Impact on Heritage Assets
- Residential Amenity

*The Principle of Development

Policy LP35 of Huntingdonshire's Local Plan to 2036 states that 'a proposal for a renewable or low carbon energy generating scheme, other than wind energy, will be supported where it is demonstrated that all potential adverse impacts including cumulative impacts are or can be made acceptable'. Additionally, Paragraph 168 of the NPPF (2024) states that 'Local Planning Authorities should recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions' as well as 'give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future'. Further, whilst it is accepted that the building is Grade II Listed, Paragraph 215 of the NPPF also 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'.

In this case, this application seeks permission for the installation of solar panels to the primary roof elevation of the south elevation of the outbuilding to the rear of the application site.

The harm to the Listed Building is considered to be less than substantial and in this instance are outweighed by the public benefits in assisting in the transition to low carbon energy/net zero, which is discussed further in subsequent sections of this report. The development therefore accords with Policy LP35 of the Local Plan to 2036 alongside the provisions of the NPPF (2024), and is considered to be acceptable in principle subject to other material planning considerations.

*Design, Visual Amenity and Impact on Heritage Assets

The application site at 93 High Street is occupied by a detached Grade II Listed Building and ancillary outbuilding located within the Somersham Conservation Area. The surrounding area depicts the character of a typical rural town, and there are a number of additional Listed Buildings in the vicinity of the application site and along High Street. The works which are proposed involve installation of solar panels the outbuilding located to the rear of the site, and do not involve the

Listed Building itself. The proposed solar panels are to be installed on the front-facing roof slope to the south elevation of the outbuilding, and in terms of design and visual appearance, it is determined that the proposals are acceptable, and is not considered that the installation of solar panels will result in any significantly detrimental impacts in terms of the character and appearance of the application site or surrounding area as mentioned in subsequent sections of this report. As such, the development therefore accords with Policies LP11 and LP12 of the Local Plan to 2036 in this regard.

In assessing development within the curtilage of a Listed Building and in a Conservation Area, it should be regarded that:

Section 16(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall 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.

Section 72 of the Planning (LBCA) Act 1990 (as amended) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Para. 212 of the NPPF sets out 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Para 215 states ‘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.
Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

As this is the case, HDC's Conservation Officer have been consulted and having reviewed the documents, object to the application, with their comments summarised below.

They observe that there are views of the rear outbuilding from High Street and The Cross, originally the site of the Medieval Market, as well as from the War Memorial Opposite, and note that whilst the outbuilding is not recorded on historic Ordnance Survey maps and is not protected under the Listed Building status of number 93, it is an element which contributes to the setting of number 93 and the nearby Listed Buildings as well as making a positive contribution to the Conservation Area because of its appearance and relationship with the buildings and street scene of the High Street. The outbuilding is considered to reflect the construction, style and materials of the Listed 93 High Street and other buildings on High Street.

Furthermore, it is noted that the proposal adds incongruous features on to the state roof slope of the rear outbuilding, and the solar panels are a modern utilitarian feature which sits above the roof slope and are of a non-traditional form, and highlight how this new feature would be visible on the roof slope of the rear outbuilding and change its traditional character and its existing contribution to the settings of the Listed Buildings and the Conservation Area. It is also noted that the whole of the

rear outbuilding is not in clear view from the High Street but partially visible from The Cross, and is visible from number 93 and neighbouring Listed Buildings.

The Conservation Officer concludes that the proposal is considered to have a harmful impact on the settings of the Listed Buildings at 93 High Street, 95 High Street, 97a and 97b High Street, and the War Memorial at The Cross. They state that it is also considered harmful to the character, appearance and significance of the Conservation Area because of its potential impact on The Cross, the War Memorial, the Listed telephone box and the street scene of High Street. Overall, it is concluded that the harm as a result of the proposal is considered to be less than substantial for the purposes of the NPPF, but there is a wide impact on a number of different heritage assets and even 'less than substantial harm' is required to have clear and convincing justification and public benefit to outweigh the harm.

Whilst it is acknowledged by the Case Officer that the proposals would result in some harm as outlined above, as this is less than substantial, as per the NPPF and mentioned in preceding sections of this report, this harm should be weighed against the public benefits. Paras 167 and 168 require local planning authorities to give significant weight to the need to support energy efficiency to existing buildings, which includes the installation of solar panels, whilst also recognising the impacts on heritage assets. Officers have considered the surrounding heritage assets and the level of harm that would result from the proposed solar panels, but in this instance are of the view that the environmental public benefits from reducing climate change and achieving net zero from the contribution of these solar panels would make, would in this instance outweigh the heritage harm in line with Para 215 of the NPPF.
The proposal therefore accords with Policy LP34 of the Local Plan to 2036, the provisions of the NPPF (2024) and the Planning (LBCA) Act 1990.

*Residential Amenity

Given the type and location of the proposed development as the installation of solar panels to an outbuilding at the rear of the application site, it is not considered that there would be any unacceptable material impacts in terms of overbearing or loss of light, nor would there be any issues regarding loss of privacy or overlooking.

Overall, taking these factors into account, the development is considered acceptable in terms of overshadowing, overbearing impact, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it:

* Is of an appropriate scale and design;
* Would not have a significant harmful impact upon the character and appearance of the area;
*the less than substantial harm to surrounding heritage assets would in this instance be outweighed by the public environmental benefits of improving carbon emissions and climate change;
* Would not have a significantly detrimental impact upon the amenity of neighbours;

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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