

**WORKING PAPER 1**

**Development Control Committee**  
**3 August 2022**

**Applications DC/22/0609/HH & DC/22/0610/LB**  
**– Smallwood Farm House, Smallwood Green,**  
**Bradfield St George**

<b>Date registered:</b>	6 April 2022	<b>Expiry date:</b>	1 June 2022 EOT: 5 August 2022
<b>Case officer:</b>	Ian Opolot	<b>Recommendation:</b>	Refuse application
<b>Parish:</b>	Bradfield St. George	<b>Ward:</b>	Rougham
<b>Proposal:</b>	Householder planning application - Installation of solar panels to rear roof of central barn Application for listed building consent - Installation of solar panels to rear roof of central barn		
<b>Site:</b>	Smallwood Farm House, Smallwood Green, Bradfield St George		
<b>Applicant:</b>	Mr Philip Doe		

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

**CONTACT CASE OFFICER:**

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## Background:

1. **The applications have been referred to the Development Control Committee following consideration by the Delegation Panel. The Parish Council support both applications which are recommended for refusal.**

## Proposal:

2. Planning permission and listed building consent is sought for the installation of 18 solar panels on the eastern facing roof plane of the existing barn within the grounds of Smallwood Farm House, which is a Grade II listed building. The PV panels would be visible from within the curtilage of the listed building itself as well as public vantage points. Each individual panel that is proposed would measure 3.4m x 1.0m.

## Site details:

3. The application site consists of a late-16<sup>th</sup> century Grade II listed, two storey farmhouse, and a barn (which has planning permission and listed building consent to be converted into a holiday let) to the north of the site. A pond is located to the eastern side of the application site. The application site is not located within a conservation area.

## Planning history:

4. The following are the most relevant applications:

Reference	Proposal	Status	Decision date
DC/20/2044/FUL	Planning application - a. conversion of existing barn to holiday let b. single storey side extension c. decking to front elevation d. external flue e. changes to roof form	Application Withdrawn	25 January 2021
DC/20/2045/LB	Application for listed building consent - internal and external alterations comprising a. single storey side extension c. changes to the roof form d. external flue e. decking f. four roof light in association with conversion of existing barn to holiday let	Application Withdrawn	25 January 2021
DC/21/1084/HH	Householder planning application - single storey extension to Southern elevation	Application Granted	3 September 2021
DC/21/1085/LB	Application for listed building consent - a removal of window to Southern elevation b.	Application Granted	3 September 2021

	single storey extension to Southern elevation		
DC/21/1495/FUL	Planning application - a. conversion of existing barn to holiday let b. single storey side extension c. decking to front elevation d. external flue e. changes to roof form including four roof lights	Application Granted	20 September 2021
DC/21/1496/LB	Application for listed building consent - a. internal and external alterations for the conversion of existing barn to holiday let b. single storey side extension c. decking to front elevation d. external flue e. changes to roof form including four roof lights	Application Granted	20 September 2021

## Consultations:

### 5. Conservation Officer

This application is for the installation of 18 PV panels onto the roof of the large barn next to Smallwood Farmhouse. The house itself is a listed building and the barn is therefore listed by virtue of being a historic structure which formed part of the curtilage of the house at the time it was listed.

The two main heritage considerations are therefore the impact of the panels on the barn itself and their impact on the setting of the house. Setting is not limited to public views and should be assessed from the surroundings of the listed buildings, including private views. PV panels are usually only considered acceptable where they would not be visible in views of the listed buildings such that they would harm their significance and setting.

Although the barn is quite tall and has a relatively shallow roof pitch, the photograph below demonstrates that the panels would be visible in views of it from the garden and within the context of the listed farmhouse. In contrast to traditional materials, PV panels typically present a harsh, shiny appearance which would detract from the character of the barn and the setting of the house.

Paragraph 206 of the NPPF requires that development within the setting of heritage assets should enhance or better reveal their significance and that proposals which preserve those elements of the setting which make a positive contribution to the asset, or better reveal its significance, should be supported. The addition of PV panels on the barn roof would not achieve these requirements. Less than substantial harm to both the barn and the setting of the house would be caused. The power generated by the

panels would be for private use and therefore there would be no public benefit from the proposals which would outweigh the harm, as required by paragraph 202 of the NPPF. I therefore recommend refusal of this application.

### **Representations:**

#### **6. Bradfield St George Parish Council:**

Unanimously resolved to support subject to any reasonable listed building/conservation area considerations

#### **7. Ward Councillor**

Councillor Sara Mildmay-White called the application into Delegation Panel.

### **Policy:**

8. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

9. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM15 Listed Building

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

Core Strategy Policy CS3 - Design and Local Distinctiveness

### **Other planning policy:**

#### **10. National Planning Policy Framework (NPPF)**

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised

NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

**Officer comment:**

11. The issues to be considered in the determination of the application are:

- Principle of Development
- Impact on Amenity
- Impact on the street scene
- Impact on the listed building

**Principle of Development:**

12. The obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 requires decision makers to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be taken into account when determining planning applications. The Framework policies may support a decision in line with the development plan or they may provide reasons which 'indicate otherwise'.

13. Paragraph 152 of the National Planning Policy Framework (NPPF), revised February 2021, states "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

14. Paragraph 158 of the NPPF states "When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable."

15. Policy DM8 of the Joint Development Management Policies Document encourages low carbon or renewable energy subject to acceptable landscape and visual impacts.

16. Policy DM24 states that alterations or extensions to existing dwellings will be permitted, provided that the proposals respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area, will not result in over-development of

the dwelling curtilage; and will not adversely affect the residential amenity of occupants of nearby properties.

17. The proposed development seeks the installation of 18 PV panels on a barn located within the curtilage of the Grade II listed Smallwood Farm House, which is located within the countryside. As such, the principle of PV panels in this context is acceptable, however, given the building is listed, a further assessment of the visual impacts and impacts on the heritage asset itself are required in order to determine the acceptability of the proposal.

### **Impact on Amenity**

18. Policies DM2 and DM24 state that proposals for all development should not adversely impact residential amenity, nor the amenities of the wider area. They should not create overlooking, overbearing, loss of light, noise, pollution or other general disturbance that will adversely impact nearby dwellings.
19. Given the scale of development and the nature of the proposal, it is not considered that impacts to residential amenity will arise. The proposal is considered to accord with policies DM2 and DM24 in this respect.

### **Impact on Street Scene**

20. Policy DM2 states that proposals for all development should maintain or create a sense of place, recognise and address key features and characteristics, produce designs which respect the character, scale, form and massing of the locality, and not adversely affect the distinctive historic character and architectural or archaeological value of the area and/or building.
21. The proposed PV panels would not be visible from the street scene, given the location of the barn within the rear garden of the application site, and the surrounding countryside location. However, setting is not limited to public views and should be assessed from the surroundings of the listed buildings, including private views.
22. It is considered that the proposal will have a harmful impact on the heritage asset and therefore there will be an impact on the distinctive historic character of the area. Further analysis of this is set out within the following section of the report. The proposal therefore is not considered to comply with policy DM2 in this respect.

### **Listed Building Impacts**

23. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.
24. Policy DM15 refers to listed buildings, and states that proposals to alter, extend or change the use of a listed building, or development affecting its setting, will be permitted where they can demonstrate a clear understanding of the significance of the building, contribute towards the

preservation of the building, are not detrimental to the buildings character or historic special interest, are appropriate in scale, form and design, use appropriate materials and respect the setting of the listed building (inward and outward views).

25. National policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'heritage assets' such as scheduled monuments, listed buildings and conservation areas. The particular significance of any element of the historic environment likely to be affected by a development proposal should be identified and assessed. Any harm should require clear and convincing justification.
26. Given the location of the proposed PV panels, views will be possible from within the curtilage of the listed building and from within the rear garden of the host property. It is acknowledged that the existing barn has a relatively shallow pitch, and thus the proposed PV panels would be highly visible from within these viewpoints given their harsh, shiny appearance thus detracting from the character of the Grade II Listed farmhouse. Whilst it is appreciated that the proposed PV panels are to provide a means of generating energy efficient and environmentally friendly power, paragraphs 193-196 of the NPPF requires great weight to be given to the asset's conservation and any harm or loss requires clear and convincing justification. Where the harm will lead to less than substantial harm to the significance of the building, this harm should be weighed against the public benefits of the proposal.
27. It is acknowledged that the PV panels may result in some modest public benefits, through the production of solar energy to help reduce carbon emissions produced through other energy forms. Whilst these measures would help reduce some carbon emissions, this is not considered to sufficiently justify the harm caused to the significance of the designated heritage asset. There may be some public benefit from the provision, however this will be relatively small and would not outweigh the harm caused to the Grade II listed building.

### **Conclusion:**

28. Policy DM8 states that all proposals for generation or recovery of low carbon or renewable energy, such as wind turbines, biomass, and combined heat and power, will be encouraged subject to the following criteria:
  - a. proposals will be required to demonstrate the new carbon saving benefit that they will create, taking into account both carbon dioxide savings from renewable energy generation and any additional carbon dioxide generation that results from the proposal;
  - b. proposals will be required to include a landscape and visual assessment which should, where appropriate:
    - i. show the impact of the proposal in the landscape or townscape. All development should be designed and sited to minimise intrusion and visual impact;
    - ii. include mitigation measures to address the visual impact of the scheme;
    - iii. include an appraisal of the impact on the environment of the proposal either in isolation or cumulatively with any other similar developments;
  - c. where appropriate the proposal includes provision for mitigation and compensation measures, such as habitat enhancement or relocation.

The installation of PV panels and their environmental benefits are not being questioned nor disregarded in the assessment of this application, but in this case, the assessment is on the acceptability of solar panels on the roof slope of this particular designated heritage asset. Support in principle is offered in policy DM8, however paragraph B(i) and B(ii) of this policy states that proposals for the generation of low carbon or renewable energy will be encouraged subject to the impact of the proposal in the landscape or townscape being designed and sited to minimise intrusion and visual impact, and the inclusion of mitigation measures to address the visual impact of the scheme. There are no mitigation measures which would enable this proposal to be considered favourably.

29. The solar panels would clearly result in some direct environmental benefits for the current/future occupiers of the barn which has permission to be converted to a holiday let, and modest public benefits, through the contribution to reduction of carbon emissions.
30. The proposed PV panels would be located on the eastern facing (rear) roof slope of the existing barn. It is acknowledged that the roof of the barn is shallow, and whilst the proposal would not be visible from the street scene, the proposed PV panels would be visible from within the curtilage of the Grade II listed farmhouse. The proposed PV panels would significantly detract from the character of the Grade II listed farmhouse given their shiny, and harsh appearance in contrast to the traditional materials used for the existing Grade II farm house. As a result, their provision would appear as an incongruous addition to a designated heritage asset and would detract from and cause harm to its significance.
31. The harm identified would result in less than substantial harm and the tests of para 202 of the NPPF should therefore apply. In this case, the modest benefits of the proposal do not override the requirement 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.
32. The principle and detail of the development is therefore considered to conflict with the relevant development plan policies and the National Planning Policy Framework, and as such, is recommended for refusal.

### **Recommendation:**

33. It is recommended that planning permission and Listed Building Consent be **REFUSED** for the following reason:

- 1 The proposed PV panels would present a harsh, shiny appearance that would detract from the character of the barn and the Grade II Listed property. The proposal would also be visible from the garden of the host property and within the context of the Grade II Listed farmhouse.

Paragraph 206 of the NPPF requires that development within the setting of heritage assets should enhance or better reveal their significance and that proposals which preserve those elements of the setting which make a positive contribution to the asset, or better reveal its significance, should be supported. The addition of PV panels on the barn roof would not achieve these requirements. Less than substantial harm to both the barn and the setting of the house would be caused. The power generated by the

panels would be for private use and therefore there would be no public benefit from the proposals which would outweigh the harm, as required by paragraph 202 of the NPPF. The proposal is therefore contrary to Joint Development Management Policy DM15, Core Strategy Policy CS3, the National Planning Policy Framework (2021) and is at odds with the duties imposed by Section 66 of the Planning (Listed Buildings and Conservation Act) 1990.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0609/HH](#) & [DC/22/0610/LB](#)