

Item Number: 17
Application No: 22/01226/HOUSE
Parish: Leavening Parish Council
Appn. Type: Householder Application
Applicant: Dr David Crocker
Proposal: Installation of 10no. UV Photo-voltaic solar panels to the west elevation roof of the garden room and 7no. solar panels to the east elevation roof of the garden room together with installation of an air source heat pump to rear eastern elevation of the dwelling
Location: Brook House Dam Lane Leavening Malton North Yorkshire YO17 9SJ
Registration Date: 22 November 2022
8/13 Wk Expiry Date: 17 January 2023
Overall Expiry Date: 21 December 2022
Case Officer: Lucy Toolan **Ext:** 43317

CONSULTATIONS:

Leavening Parish Council No Comments
Building Conservation Officer Comments

Representations: Mr Gary Hargreaves

SITE:

The application site, Brook House, is a detached, two storey, Grade II Listed property situated within Leavening development limits. The property is double fronted with the gable end facing Dam Lane. It is constructed of brick under a pantile roof with traditional timber framed sliding sash windows. To the south elevation is a drive with an oak framed outbuilding, situated next to additional outbuildings on the eastern boundary. To the south and east of the site is a substantial grassed domestic garden area. In recent years the applicants have had permission for a side extension which is oak framed with a pantile roof. The site lies within the Yorkshire Wolds Area of High Landscape Value.

PROPOSAL:

Planning approval is sought for the installation of 10 UV Photo-voltaic solar panels to the west elevation roof of the garden room and 7 solar panels to the east elevation roof of the garden room, each measuring 1.7m x 1.13 m, together with installation of an air source heat pump to rear eastern elevation of the dwelling.

The air source heat pump is proposed to be installed to the rear elevation of the dwellinghouse. The air source heat pump itself will be a Grant Aeron R32 model which measures 1420mm (h) x 1020mm (w) x 403mm (d).

It should be noted that Schedule Two, Part 14 Renewable Energy, Class G of the Town and Country Planning (General Permitted Development) Order, 2015 state that the installation of an air source heat pump is 'permitted development', subject to various conditions being satisfied. Section G.2 section (i) states that development is not permitted if the air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse if the dwellinghouse is a listed building. In this case, the equipment would be installed on a Grade II Listed Building.

A separate listed building consent application has been made.

HISTORY:

15/00497/HOUSE - Erection of single storey garden room to south elevation, extension to existing rear porch and erection of detached car port to include demolition of existing single storey extension to south elevation and existing car port to north elevation.

15/00498/LBC - External and internal alterations to include erection of single storey garden room to south elevation, extension to existing rear porch, formation of new entrance door on north elevation, formation of additional internal openings and alterations to internal layout together with demolition of existing single storey extension to south elevation and existing car port to north elevation

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations
National Planning Policy Framework
National Planning Practice Guidance

REPRESENTATIONS:

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

An objection was received on the 4th January 2023 from a neighbour at Becksides, Dam Lane, with the following comments:

"The house overlooks my front room and this will be an unsightly view and not in keeping with the Village lane and the properties. I have considered these panels myself but they don't match the character of the village and community."

The Building Conservation Officer has no objection to the proposals subject to a condition to ensure the removal of equipment within 6 months of redundancy.

Leavening Parish Council have made no comments.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Design and Heritage

- iii. Impact upon AHLV
- iv. Impact upon neighbouring amenity
- v. Other matters, including consultation responses.

Principle of the development

The principle of the development to install two domestic renewable products, which is supported under SP18 (Renewable and Low Carbon Energy), which promote sources of renewable/ low carbon energy, subject to them resulting no adverse impact on historic interests, unless the impact can be acceptably mitigated.

Design & Heritage

Policy SP16 (Design) of the Ryedale Local Plan Strategy states that new development should reinforce and respect the context of its surrounding by virtue of its location, siting form, layout and scale. In alterations to existing buildings should be sympathetic to the character and appearance of the host dwelling in terms of materials, form and scale. The National Planning Policy Framework makes it clear that development should be sympathetic to local character and history, including the surrounding built environment.

The proposed Grant Aerona R32 model which measures 1420mm (h) x 1020mm (w) x 403mm (d), and will be positioned to the rear elevation of the property facing the rear boundary hedge. The air source heat pump is domestic in scale and at this location will not take away from the unique character and qualities of the surrounding area, and will not detract from the appearance of the property in accordance with SP16 (Design).

The property is a Grade II Listed Building, and as such Ryedale District Council have a statutory duty to have a special regard for the preservation of the building or its setting or any features of special architectural or historic interest which it possesses. The pump will be well screened in an enclosed section to the rear and as such, the unit will not be directly visible from public vantage points or from within the street scene. The installation can be reversed, and does not result in a loss of historic fabric. As such the level of harm is very much less than substantial in terms of appearance and there is no harm to the historic fabric of the building.

The heat pump will provide a sustainable method of heating for Brook House, in the long term which will help with its maintenance and preservation, and ensure its continued use as a habitable dwelling. In this instance, it is considered that this public benefit outweighs the very low levels of harm to the Listed Building. On this basis it is considered that the proposed development preserves the significance of the Grade II listed building, and is in accordance with SP12 (Heritage) of the Ryedale Local Plan.

An objection has been received in relation to the impact the solar panels may have on the character of the village. The objector's property is situated to the south of Brook House, on the other side of Dam Lane.

The objector considers that the panels are 'unsightly', that their view is undermined, and that they are not in character with the village. The impacts on a private view are not a material planning consideration. The listed building consent and householder planning application must consider the impacts of the proposal on the listed building itself, its setting and in relation to the planning application, its wider impact on the character of the area.

The solar panels will be installed on the modern extension at the side of property, with each panel measuring 1.72 x 1.13 metres and a battery installed on the gable end under the ridge. The extension, which is a modern glazed and oak framed addition, achieved planning permission in 2015, and is positioned to the side of the listed building which is well screened by mature boundary planting and the host dwelling itself. The panels are therefore not sited on the principal, historic fabric of the building, and so the overall significance of the listed building is not undermined by the inclusion of the solar panels.

Whilst some visual harm is caused to the listed building by virtue of the introduction of a strongly modern feature such as the proposed solar panels, it is considered that this harm has been fundamentally mitigated by the proposed positioning of these structures on a modern extension. It is considered that the low level of harm is balanced by the ability to provide a solution, in this instance, to delivering more sustainable forms of energy generation without harming the original historic fabric of the listed building.

Views from the Dam Lane and other public vantage points will also be limited by the height of the boundary treatment, and the positioning of the main house, therefore the level of harm can be identified as low. As such it is considered that the proposals will not adversely impact on the wider character of Leavening.

The Building Conservation Officer has no objection to the proposals subject to the removal of the equipment within 6 months of redundancy.

In view of this, the installation of the solar panels are considered acceptable in relation to Policies SP12 (Heritage) and SP16 (Design) and SP18 (Renewable and Low Carbon Energy) of the Ryedale Local Plan Strategy.

Impact upon Area of High Landscape Value

Policy SP13 of the Ryedale Local Plan stated that the Council will carefully consider the impact of development proposals within the Wolds Area of High Landscape Value which are valued locally. The Wolds are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.

The proposed air source heat pump, being low to the ground will have no wider landscape impact. The solar panels will be read within the context of the bulk and massing of the dwelling, and are positioned on the western and eastern elevations on a single storey structure, and so will not result in any glare. The application site is in a relatively screened location with the presence of surrounding properties. It is therefore concluded that the development's siting will have no impact upon the Area of High Landscape Value, in accordance with SP13 (Landscapes).

Impact upon neighbouring amenity

Policy SP20 (Generic Development Management Issues) states that new development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.

In relation to impact on neighbouring amenity, the air source heat pump and solar panels are not considered to create any loss of light or overshadowing due to their size and positioning. The equipment is domestic in scale and operation and is therefore not considered to create unacceptable noise or light pollution.

To ensure that an unduly noisier pump is not installed in lieu of the approved unit, it is considered that a condition which seeks to ensure that a machine of similar size and with the same or similar noise specification identified in the submitted material is used, unless agreed in writing by the local planning authority. If a new, replacement pump is sought in the future, that will need permission in its own right.

In view of this, it is considered that the development proposed in accordance with Policy SP20 (Generic Development Management Issues).

Other matters including consultation responses

The Leavening Parish Council have not made any comments and the Building Conservation Officer has made comments mentioned in the above appraisal.

It is considered that this proposal conforms with Policies SP12 Heritage, SP13 Landscapes, Policy SP16 Design, Policy SP18 Renewable and Low Carbon Energy, and Policy SP20 Generic Development Management Issues of the Ryedale Plan- Local Plan Strategy and the National Planning Policy Framework. On this basis, in accordance with Policy SP19 (Presumption in Favour of Sustainable Development), approval is recommended subject to the following conditions.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

- Proposed East Elevation (scanned into file 24.11.2022)
- Proposed West Elevation (scanned into file 24.11.2022)
- Site Location Plan (scanned into file 24.11.2022)

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

3 Notwithstanding the submitted details, the air source heat pump hereby approved shall be a of a specification in relation to its size and noise output which is considered to be comparable to the submitted Grant Aeron R32 HPID13R32 or HPID17R32 model, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the residential amenity of the adjacent property is sustained. To satisfy the requirements of Policies SP13, SP16 and SP20 of the Ryedale plan - Local Plan Strategy.

4 Notwithstanding the submitted details, the solar panels hereby approved shall be a of a specification in relation to its size which is the same as the submitted Mono 415W MBB Half-cell Module JAM54S30 390-415/MR model, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area, and to ensure that the residential amenity of the adjoining property is sustained. To satisfy the requirements of Policies SP13, SP16 and SP20 of the Ryedale plan - Local Plan Strategy.