

REFERENCE NO - 17/503326/LBC			
APPLICATION PROPOSAL Listed Building Consent to add one additional photovoltaic panel to the three already approved; increase the size of all four panels from that previously approved; and the omission of one approved rooflight on the south-facing roofslope of approved rear extension			
ADDRESS 46 Tanners Street Faversham Kent ME13 7JL			
RECOMMENDATION Approve			
SUMMARY OF REASONS FOR RECOMMENDATION: Proposal is generally in accordance with national and local planning policy, and the proposal will not cause unacceptable harm to the character and setting of the listed building			
REASON FOR REFERRAL TO COMMITTEE – Applicant is SBC Employee			
WARD St. Ann's	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr & Mrs Stonor AGENT	
DECISION DUE DATE 31/08/17	PUBLICITY EXPIRY DATE 18/08/17	OFFICER SITE VISIT DATE 26 th July 2017	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/507323/FULL & 15/507328/LBC	The replacement of an existing flat-roofed extension of low quality construction to the rear of the property with a pitched roofed extension, the restoration of a historic attic room including the creation of two new dormer windows to the front of the property and listed Building Consent for the same. (NB. Work has now commenced on implementing these consents)	Approved	20/01/2016
SW/10/0888 and SW/10/0889	Planning Permission and Listed Building Consent for the enlargement of existing extension located to the rear to include a dining area at ground floor & a bedroom on the first floor to include the creation of two dormer windows on the street side elevation (Not implemented)	Approved	02/03/2012
SW/07/1167 and SW/07/1168	Planning Permission and Listed Building Consent for two storey rear extension	Withdrawn	28/12/2007
SW/87/0033 and SW/87/0034	Planning permission and Listed Building Consent for two storey side extension (Implemented)	Approved	07.05.1987

1.0 DESCRIPTION OF SITE

1.01 46 Tanners Street is a Grade II listed seventeenth century post and beam framed house and is located within the Faversham conservation area. The property has 19th

century and 20th century extensions to the south (side) and west (rear). The historic part of the property retains much of its original character on the eastern street façade but has been greatly altered to the rear with the latest addition taking the form of a large extension to the side of the original house in the 1980's. Importantly, it features a large flat roofed box dormer window on the original rear roof slope which this scheme seeks to remove.

2.0 PROPOSAL

- 2.01 The present proposal is for the same extensions and alterations, but adding an extra solar-voltaic panel to the already approved three panels on the roofslope of the proposed extension, whilst reducing the number of rooflights on the south-facing roofslope from three to one. It should be noted that the proposed panels are a little deeper than those originally proposed. No other changes are envisaged. The permitted photo-voltaic array would in its entirety measure 2.7 metres by 1.2 metres; with the proposed additional panel, and larger panel, the proposed array would measure 3.6 metres by 1.7 metres.
- 2.02 It should be noted that the present LBC application is accompanied by an application for a Non Material Amendment, which the Council's Constitution allows for determination under delegated powers. A Non-Material Amendment is a small planning application for a minor change to an approved scheme which would have no material effect. However, as the building is listed, and there is no provision within the Planning and Listed Buildings Act for any minor changes to an approved scheme, a new LBC application is required, hence the present application.
- 2.03 The proposal has been referred to the Planning Committee as the applicant is a member of staff.

3.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

Conservation Area Faversham

Environment Agency Flood Zone 2

Listed Buildings SBC Ref Number: 1243/SW

Description: G II 46 TANNERS STREET, FAVERSHAM, ME13 7JL

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF): Paragraphs 132 & 133 (Designated Heritage Assets)

Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies DM14 (Development Criteria), DM32 (Listed Buildings) and DM33 (Conservation Areas)

5.0 LOCAL REPRESENTATIONS

- 5.01 Faversham Town Council raises no objection.

6.0 CONSULTATIONS

6.01 No other consultation correspondence has been received.

7.0 APPRAISAL

7.01 The key material considerations in the assessment of this LBC application are whether the increase in size and number of the proposed photovoltaic panels would harm the character and setting of the listed building in question, which in itself forms a key element of the Conservation Area street scene at the relevant location.

7.02 The elevation of the approved extension will be quite visible from a gap in the building frontage between 42 and 46 Tanners Street, whereby the photo-voltaic array could be clearly seen. This matter has been discussed with the applicants, and it has been suggested that the planting of two semi-mature evergreen trees (such as holly) near to the boundary wall south of the house would considerably screen the extension. This offer has been accepted and a condition for same is duly given below.

7.03 It will be noted that a photo-voltaic array on this roofslope has already been approved. Whilst the array presently under consideration would be larger, I am of the opinion that, by approving the original array, this has set a precedent in this particular case, (and only for this particular case), and the additional panel does not alter that precedent.

7.04 I further note that the introduction of the fourth panel, though increasing the size of the array, would also result in the omission of two of the previously approved rooflights also shown on this roofslope. This omission will vastly improve the appearance of the roofslope, making it far less 'busy' and therefore having a lesser visual impact upon the character and setting of the host building and also the surrounding conservation area.

7.05 As the applicants have willingly agreed to mitigation measures (the two new trees), which would soften the visual impact of the larger array, I am now of the opinion that the proposed minor changes can be supported.

7.06 It should be noted that, in addition to the new conditions noted below, the original conditions have also been added, as the works previously permitted have only just been started, and it is important that the works are undertaken in accordance with the approved drawings.

8.0 CONCLUSION

8.01 As such, and on balance, I therefore recommend that the application be approved, subject to strict accordance with the conditions noted below,

9.0 RECOMMENDATION – APPROVE, subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall not be carried out otherwise than in complete accordance with drawing nos. 64/PP01, 64/PP002, 64/PP003, 64/PP004A, 64/PP005BD, NE_103INST, 064/PPC013 and 3 KPS Joinery drawings rec on 07/09/15.

Reason: To ensure the preservation of the special character of the conservation area and the special architectural or historic interest of the listed building.

- (3) All rainwater goods to be used as part of the development hereby permitted shall be of cast iron

Reason: To ensure the preservation of the special character of the conservation area and the special architectural or historic interest of the listed building.

- (4) Details showing the exact siting, species and planting specification of two new trees alongside the south eastern part of the existing boundary wall shall be submitted to and approved in writing by the Local Planning Authority before the solar array is installed. Thereafter, the trees must be planted in the first planting season following the installation of the solar array.

Reason: To ensure the preservation of the special character of the conservation area and the special architectural or historic interest of the listed building.

- (5) Upon completion of the approved tree planting scheme, any trees that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed

Reason: To ensure the preservation of the special character of the conservation area and the special architectural or historic interest of the listed building.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

APPENDIX 1

Dear Andrew

Proposal: Listed Building Consent to add one additional photovoltaic panel to least visible part of south-facing roof of (previously approved (Ref: 15/507328/LBC)) replacement extension

Ref: 17/503326/LBC

Location: 46 Tanners Street, Faversham, ME13 7JL

Please find below our response to the Conservation Officer's comments on the above application. The Conservation Officer's comments are in plain text and our responses are in italics.

For information, the previously approved scheme, which included three solar panels on the south-facing roof of 46 Tanners Street is referenced 15/507328/LBC and was granted on 20th January 2016.

Scheme assessment

- The key material considerations in the assessment of this LBC application are whether the increase in size and number of the proposed photovoltaic panels would harm the character and setting of the listed building in question, which in itself forms a key element of the Conservation Area street scene at the relevant location.
- The elevation of the approved extension will be quite visible from a gap in the building frontage between 42 and 46 Tanners Street (see my photo below from our site visit yesterday).



- The proposed revision to the solar array on the roof slope in question means that this much larger array (which would visually dominate the area of roof slope that can clearly be seen from the footway) would be highly visible, and represent something of an unwanted visual intrusion into an otherwise largely traditional, somewhat rustic roofscape.

Please see the image below, where the position of the proposed additional solar panel is indicated. As can be seen, the majority of the proposed additional panel (the red rectangle on the photograph) is obscured from view. Indeed, the proposed additional panel is much less prominent than the three already permitted panels that will be sited immediately to the left of the proposed additional panel.



- In a less heritage sensitive location and/or in relation to the roof slope of a building that is shielded/screened to some degree by established and protected trees, this would be unlikely to represent such a significant issue, but the proposal as it stands, given the specific nature of the context in which it would be seen, raises valid heritage impact concerns in my mind that I struggle to see being overcome.

The three already permitted panels will be more visible than the proposed additional panel. The visual prominence of the three permitted panels has already been assessed and approved as part of the permitted scheme (15/507328/LBC). At that time (January 2016) the assessment as set out in the Report to Planning Committee, para 7.05, was 'The proposed installation of photovoltaic panels does need to be assessed additionally. They are to be sited on the south-facing roof of the proposed replacement extension. The panels would be installed to a 'low profile' design, sitting within the plane of the roof tiles rather than fixed onto them. This is a welcome approach.' The proposed fourth panel would also be a low profile design. Whilst we acknowledge that that area of panels is increased in this revised scheme the principle of well-designed solar panels on the extension to a listed building was established at this location in the granting of Listed Building Consent 15/507328/LBC. We consider the incremental increase in area in this revised scheme to be modest and not significant enough to warrant a change of position from the planning authority.

- In NPPF terms, the level of harm that would arise just from the development in its own right, is one that would fall squarely within the 'less than substantial harm' bracket. However, there is little or no public benefit that would arise from this proposed change to the approved scheme, and whilst it is an accepted planning system principle that each and every proposal should be considered on its own merits, precedent can and often does come into the equation and it concerns me that were we to allow this revised solar array scheme as proposed, we might find it difficult to then resist similar proposals for solar arrays in similarly, or even more sensitive areas. The cumulative impacts in such a scenario could be much more significant...

We would argue that there is a small public benefit to this application in that the array will be generating renewable energy and therefore taking less energy from the National Grid. We also argue that there is not a significant, if any, public detriment that hasn't already been considered and approved in the permitted design.

The four solar panels for which we seek approval are part of a thoughtful and contemporary extension to a Grade II Listed Building, the design of which is the result of many years of work, in

partnership with the previous Conservation Officer at Swale Borough Council. We believe that there is public benefit in a well-considered building of innovative, high-quality design, with integrated renewable energy, demonstrating how a listed building can be appropriately extended and adapted for the climate and context in which it is being built.

The precedent for a solar array in this location was set when the three-panel design was permitted. The additional panel does not alter the setting of that precedent. We therefore contend that this point is not relevant.

- I am aware from our recent site visit that there are no other locations within the curtilage of the application property whereby the proposed larger solar array might be installed with less or no real visual impact, so I accept it realistically needs to be installed on the south-facing roof slope of the approved extension. Clearly however, it does not need to be as large as is now proposed, although I do fully appreciate that this larger array makes the installation more cost effective, and the overall development more sustainable, certainly over a long timeframe.

Conclusion

- As the approved extension is a long way from completion still, rather than dismissing this revised proposal at this stage, I would like to explore whether there is some form of mitigation that might enable the proposed larger solar array to be installed without any material harm to the way in which the listed building and Conservation Area street scene in question is/will be perceived. This might be achieved from the planting of one or more carefully sited trees close to the front boundary wall (to the south of the house) and/or by possibly juggling the position of the rooflights and solar array on the roof of the extension, such that the solar array could be positioned closer in to the rear roof slope of the main house, so that less of it would be visible from the footway. This might for instance necessitate losing the remaining rooflight on the south-facing roof slope of the extension and replacing this on the north-facing roof slope. I appreciate from a very brief look at the floor plans that this second possible mitigation option might be a non-starter from the applicants' perspective, but I am willing to explore either of these options with you and them if it might lead to the situation in which the sustainable construction aspect of the extension proposal can be improved without materially impacting on the heritage sensitivity of the application property and its immediate environs.

We appreciate the Conservation Officer's recognition that the south-facing rooflight is an essential element of the permitted design around which the plan and section of the scheme has been designed, and as he might expect we are not willing to lose this rooflight from the permitted design. However, we are prepared to follow his proposal of the planting of one or more carefully sited trees close to the front boundary wall (to the south of the house) and hope this mitigation means that, bearing in mind the arguments set out above, the application can be recommended to the Planning Committee for approval.

Re-consultation

- In the event of the scheme currently before us being amended in any way that would materially affect its design/appearance and/or would materially affect its wider setting, please ensure that the Design & Conservation Unit is formally re-consulted.

Tim and Anna Stonor, 31st July 2017

