

6. FULL APPLICATION - FOR THE INSTALLATION OF 12 SOLAR PANELS TO THE EXISTING PITCHED ROOF/FRONT ELEVATION, AND 6 SOLAR PANELS TO FLAT ROOM TO THE REAR OF THE OLD SMITHY TEAROOMS, MONYASH (NP/DDD/0923/1022, DH)

APPLICANT: MR DAVID DRISCOLL

Summary

1. The application is for the installation of solar panels to The Old Smithy Tearooms in the centre of the village of Monyash.
2. The site is a well established business within the named settlement, which has a prominent position within the core of the village and the designated conservation area.
3. The solar panels proposed to the south-facing roofslope would have a detrimental impact on the character and appearance of the Monyash Conservation Area, undermining its special historic and architectural interest and harming its significance.
4. The application is recommended for refusal.

Site and Surroundings

5. The Old Smithy Tea Rooms is located in the centre of Monyash on the north side of Church Street approximately 16m east of Chapel Street.
6. The site is within the Monyash Conservation Area. The building stands opposite the Square, where the Village Cross, which is listed Grade II, stands, and is to the immediate west of The Bulls Head, also listed Grade II.
7. The Tearooms occupy a small single storey building which was originally the village smithy and has a prominent location in the centre of the village and the designated conservation area, as such, the building is considered a non-designated heritage asset.
8. The building is constructed from limestone with a pitched roof clad in Staffordshire blue clay tiles. A rear extension which was approved in 2003 is under a flat roof with a parapet wall to the north and west sides. The only curtilage is a very small yard area in a recess between the old and newer parts of the building.
9. The nearest neighbouring residential properties are Shepley House to the north-west, and Hawthorne House and Croft Cottage on the opposite side of Chapel Street.

Proposal

10. The proposal is for the installation of 12 solar panels to the front, south-facing, roofslope of the original building, and a further 6 panels on the flat roof of the rear extension.

RECOMMENDATION:

11. That the application be **REFUSED** for the following reason:
 - **The proposed solar panels to the principal elevation roofslope would have detrimental impact on the character of the Monyash Conservation Area and fail**

to preserve the setting of the listed Village Cross, the adjacent listed public house, and the building itself as a non-designated heritage asset by introducing an alien material on the most prominent roof slope of the building. On balance, the public benefits do not outweigh the harm and the proposal therefore fails comply with Core strategy policies GSP1, GSP3 and L3, and Local Plan Development Management DMC5, DMC7 and DMC8, the National Park Authority's SPD's, Design Guidance and the guidance contained in the NPPF.

Key Issues

12. The key issues are:

- Whether the proposals would have a detrimental effect on the character and appearance of the site and its setting; and
- Whether the proposals would have an adverse impact on the setting of nearby listed buildings; and
- Whether the proposals would harm the amenities of nearby neighbouring properties.

History

13. 1992 – A change of use from a shop to a tea rooms was granted temporarily under NP/WED/0192/0002
14. 1997 – An application, NP/DDD/0997/0439, to retain the use as a tea rooms and café, was granted. Condition 1 removed permitted development rights for any extensions or external alterations
15. 2003 – An extension to the café was granted by NP/DDD/0703/0393
16. 2004 – A Section 73 to remove the opening times restriction was granted subject to conditions under NP/DDD/0304/0266

Consultations

17. Derbyshire County Council (Highway Authority): No objections.
18. Derbyshire Dales District Council – No response to date.
19. Monyash Parish Council – Supports to the proposal, but ask if the applicant could consider solar tiles rather than panels to the front roofslope.
Officer comment: This is one of the options that has been discussed with the applicant
20. PDNPA Conservation Officer: The proposed solar panels on the front (south) elevation pitched roof of The Old Smithy Tea Rooms will result in harm to the significance of the Conservation Area. I do not support approval of the proposed south elevation solar panels. Those on the rear flat roof are unlikely to result in harm to the significance of the Monyash Conservation Area

Representations

21. During the publicity period the Authority has received one formal representation regarding the proposal, which is an objection, citing the following reasons: *The solar panels, "while potentially appropriate elsewhere," would be out of keeping with the historic central and aesthetically coherent area of the village.*

Main Policies

22. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1, CC2, DS1, L1, L3, HC4, HC5 & RT1
23. Relevant Local Plan policies: DM1, DMC3, DMC5, DMC7 & DMC8
24. National Planning Policy Framework

Wider Policy Context

25. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
 - When national parks carry out these purposes they also have the duty to:
 - Seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

26. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
27. Paragraph 176 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
28. Part 14 of the NPPF is of particular relevance to this application. It states that local planning authorities should have a positive strategy to promote energy from renewable and low carbon sources while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. When determining planning applications, local planning authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and should approve applications for renewable energy if the impacts are (or can be made) acceptable.
29. The NPPF states that local planning authorities should plan positively for the provision and use of shared spaces, community facilities and other local services, enabling the retention and development of these services and community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and

places of worship) and ensuring that established facilities and services are able to develop and modernise, and are retained for the benefit of the community.

30. The NPPF also says that when considering the impact of a proposed development on the significance of a designated heritage asset ... (from its alteration or destruction, or from development within its setting), a clear and convincing justification is required. As noted, the site is directly adjacent to the Bulls Head public house and opposite the Village Cross, both of which are listed Grade II.

Peak District National Park Core Strategy

31. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
32. GSP3 - *Development Management Principles*. GSP3 states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
33. CC1 – *Climate change mitigation and adaptation*. CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
34. CC2 - *Low carbon and renewable energy development*. CC2 states that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting the landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
35. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
36. L1 - *Landscape character and valued characteristics*. L1 states that all development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
37. L3 – *Cultural heritage assets of archaeological, architectural, artistic or historic significance*. L3 states that development must conserve and where appropriate enhance or reveal the significance of historic assets and their settings; other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset. It goes on to say that proposals will be expected to meet the objectives of any strategy covering the National Park that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets.
38. HC4 – *Provision and retention of community services and facilities*. HC4(A) states that the provision or improvement of community facilities and services shall be encouraged within settlements.

39. HC5 – *Shops, professional services and related activities*. HC5(C) relates to premises for the sale and consumption of food and drink in villages, and says that they will be permitted provided that there is no harm to living conditions or to the role or character of the area.
40. RT1 – *Recreation, environmental education and interpretation*. RT1 is supportive of facilities which encourage understanding and enjoyment of the National Park, and are appropriate to the valued characteristics.

Local Plan Development Management Policies

41. DM1 – *The presumption of sustainable development in the context of National Park purposes*. These being (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and (ii) to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
42. DMC3 - *Siting, design, layout and landscaping*. DMC3 states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, and the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area.
43. DMC5 – *Assessing the impact of development on designated and non-designated heritage assets and their settings*. DMC5 states that applications affecting a heritage asset must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced; and why the proposed development and related works are desirable or necessary.
44. DMC7 – *Listed Buildings*. DMC7 deals specifically with works to listed buildings and development affecting their setting. It states that applications should be dealt with in accordance with DMC5, and reflects the provisions of L3.
45. DMC8 – *Conservation Areas*. Policy DMC8 relates to development in conservation areas and development which affects its setting and important views into and out of conservation areas.

Supplementary Planning Document for Climate Change and Sustainable Building

46. Figure 15 of the SPD provides specific guidance on the best placement of solar panels to avoid adverse harm to the core heritage interests of traditional village centres, e.g. by advocating subsidiary roof slopes or ground mounted options to retain readability and public enjoyment of the traditional character and materials that are evident in the many Conservation Areas of the National Park.

Assessment

Principle of the development

47. Development for the benefit of community facilities is considered acceptable in principle under policy HC4.

48. Core Strategy Policy DS1 states that renewable energy infrastructure is acceptable in principle provided that they can be accommodated without adverse visual impact and do not raise any amenity issues.
49. Development Management Policy CC2 states that, in principle, applications for low carbon and renewable energy development in the National Park are supported by the Authority, provided that they can be accommodated without adversely affecting the landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.

Visual Impacts

50. The application proposes 12 solar panels to the south facing roofslope and 6 to the flat roofed extension to the rear of the pitched roof original building. The proposed solar panels are black, non-reflective units, which would not be so visually intrusive as others in the vicinity, however, these are on domestic properties and as such did not require express planning permission.
51. The PDNPA has a Supplementary Planning Document on Climate Change and Sustainable Building. This document provides guidance on renewable energy installations and ways of minimising visual impact on the landscape character and valued characteristics of the National Park.
52. Policy CC2 is clear that, in principle, applications for low carbon and renewable energy development are supported by the Authority, *“provided that they can be accommodated without adversely affecting the landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area”*.
53. There is also supplementary guidance in the Authority’s SPD on extensions and alterations specific to this type of development at paragraph 2.12. It states that, *“adding photo-voltaic or solar thermal panels to a roof fundamentally alters its character and appearance. The shiny, manufactured appearance of the panels look alien in the context of traditional building materials. It is sometimes preferable to locate panels on the ground. This can be both less obtrusive and avoids problems of drilling through roof coverings for fixings for the frames. If panels need to be sited on a roof, placing them on inner slopes where they can’t be seen is the ideal. Otherwise place them to the rear in an unobtrusive location, if orientation allows.”*
54. In terms of the wider visual impact the development, it is acknowledged that since the site is within the centre of a named settlement, there would not be any impact on the wider landscape. However, the *‘valued characteristics’* of the National Park includes the conservation areas and both designated and non-designated heritage assets.
55. The panels on the flat roofed extension to the rear of the original Smithy building, which has a parapet wall to the north and west sides, would not be readily visible. It is therefore considered that this aspect of the proposal does not conflict with policies regarding preserving the existing character and appearance of the site, the conservation area and the views into and out of the area. Nor do these panels detract from the appearance, character or significance of the listed public house the Tea Rooms stand adjacent to. As such, the proposals to install solar panels to the rear roof would not have an adverse visual impact and do not raise any amenity issues.
56. Therefore, the 6 solar panels on the flat roofed rear extension are considered to be in line with guidance and with policies GSP3, L1, L3, CC1, CC2, DMC3, DMC5, DMC7, and DMC8.

57. The 12 solar panels proposed to the south facing front roofslope of the original building, which was the old village smithy, and which is considered to be a non-designated heritage asset, are more contentious.
58. As noted, the site stands in the centre of the village and the designated conservation area. Paragraph 11.12 of the Monyash Conservation Area Appraisal clearly states that, *“Unsympathetically located modern fixtures on prominent elevations and roofs, such as satellite dishes, roof-lights, solar panels and wind turbines, can quickly accumulate and have a detrimental impact on the character of the Conservation Area.”*
59. Due to the prominent location, and since the building is single storey, the traditional blue clay tile roof is highly visible, therefore, it is an important part of the special historic and architectural interest of the settlement, making a positive contribution to the character and appearance of the Monyash Conservation Area and to its significance.
60. When assessing the impact of development on designated and non-designated heritage assets and their settings, whether the proposals have a public benefit can be used to outweigh concerns.
61. In this instance, the tea rooms do provide a community facility therefore development which would contribute to the provision of sustainable energy to the property, and allow them to continue operating does provide a public benefit. However, the building is not only located in a prominent position in the centre of the conservation area, it also stands on the northern side of The Square, where the Village Cross, which is listed Grade II stands, and is directly adjacent to The Bulls Head public house, which is also listed Grade II. In addition, as noted, the building itself is considered a non-designated heritage asset by virtue of it being one of the oldest buildings in the village centre, and by the social history derived from its function as the village smithy. Moreover the building has retained much of its original form and traditional materials adding to the character of the Conservation Area as a whole.
62. It is considered that the solar panels proposed to the south-facing roofslope would have a detrimental impact on the character and appearance of the Monyash Conservation Area, undermining its special historic and architectural interest and harming its significance. It is therefore concluded that, on balance, the proposals as submitted, are not acceptable, as they are contrary to policies L3, DMC5 and DMC7.
63. During the course of the application, various options have been considered rather than the 12 solar panels on the south-facing roofslope. In this instance there is no option to locate the solar panels on the ground due to the extremely limited curtilage of the Tea Rooms. Amended plans were requested, omitting the array on the principal elevation roofslope, and increasing the number of solar panels on the rear flat roof, however, no amended plans have been provided.
64. Therefore, it is concluded that the proposal, as submitted, is not in line with guidance in the Authority’s Supplementary Planning Documents on ‘Extensions and Alterations’ and ‘Climate Change and Sustainable Building’ Furthermore, it is contrary to Core Strategy policies GSP3, L3 and CC2, and Development Management policies DMC3, DMC5, DMC7 and DMC8.

Amenity Impacts

65. Due to the nature and location of the proposed development, the proposed scheme would have no adverse impact or significantly harm the residential amenity of nearby residential dwellings.

66. In terms of amenity issues the proposal is in line with the Authority's policies and national planning policy.

Sustainability

67. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions. The provision of solar panels for renewable energy generation is inherently sustainable and therefore complies with the requirements of CC1.

Conclusion

68. The panels to the roof slope of the principal elevation of the building would have a significant negative impact on the character and appearance of the Monyash Conservation Area, undermining its special historic and architectural interest and harming its significance.

69. The proposed development would also have a detrimental impact on the setting of the immediately adjacent Grade II listed public house, and the Grade II listed Village Cross in the green opposite the building.

70. It is considered the proposal would also have a detrimental impact on the building itself as a non-designated heritage asset.

71. On balance, the harm is not outweighed by the public benefit to the community facility. It is therefore concluded that the proposal is contrary to the relevant policies and guidance, and is recommended for refusal.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author and Job Title

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