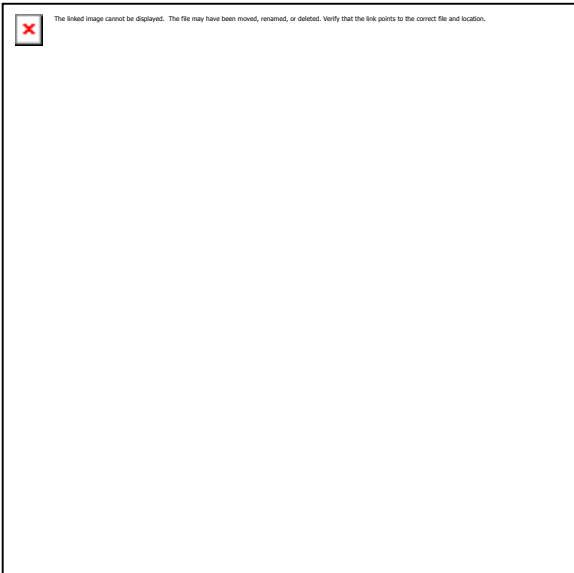




Delegated Report

Planning Application

Planning Application No: 20220538

Location: Abbey Farm Barn, Church Street Higham Rochester

Description: Installation of a 10.88kw ground mounted PV array.

Applicant: Mr Nicholas Savage

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Design and Access Statement;
Site Location Plan;
Block Plan;
Proposed Elevation, PV array;
Proposed Section, PV array; and
Existing Photograph.

Relevant Planning History

Reference	Description	Decision	Decision Date
20201350	Application to remove condition 3 attached to planning permission reference number 20140546 for the; conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion, to allow ; the converted cowshed to be used as a separate dwelling.	Refused	10.02.2021

20200910	Application for the removal of condition 3 attached to planning permission reference number 20140546 relating to the ancillary accommodation.	Withdrawn	10.12.2020
20200667	Application for the removal of condition 3 attached to planning permission reference number 20140546 for the conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion; to allow TO BE CONFIRMED	Withdrawn	14.10.2020
20191161	Application for the removal of condition 3 attached to planning permission reference number 20140546 for the conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion; to allow the annexe to be converted to a residential dwelling.	Refused	17.01.2020
20170079	Application for a lawful Development Certificate in respect of the storage of the existing static home on the north eastern corner of the site	Certificate Granted	26.04.2017
20140864	Application for the approval of condition 3 attached to Listed Building Consent reference number 20140547 relating to the materials for the external faces and roof.	Approval of Details	11.06.2015
20140547	Application for Listed Building Consent for conversion of existing cowshed to a residential annexe to incorporate living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion.	Permission	05.8.2014
20140546	Conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion.	Permission	30.04.2015
20120906	Application for approval of condition 3 attached to Listed Building Consent reference number 19990784 relating to the additional details, plans and particulars.	Approval of Details	14.11.2012
20120903	Application for approval of conditions 3, 4, 5, 6, 9 and 13 attached to planning permission reference number 19990783 relating to the revised plans of the first floor gallery, floor slab of dwelling, additional details, plans and particulars, external works, landscaping scheme, storage of feed and waste for stables and archaeological watching brief.	Approval of Details	14.11.2012
19990784	Application for Listed Building consent for the conversion of 5 bay Kentish barn into a three bedroom residential dwelling; conversion of cart shed into garage/store and demolition of 3 lean-to sheds within curtilage.	Permission	02.11.2000
19990783	Conversion of five bay Kentish barn into a three bedroom residential dwelling with conversion of the cart shed into a detached garage/store.	Permission	02.11.2000
19920264	Use of farm as livery yard & riding school, erection of stables, conversion of cattle shed to indoor riding school, erection of sand school, construction of car park, use of	Refused Appeal Dismissed	06.11.1992 06.11.1992

	land as a paddock, construction of 3no. passing bays in Church St., & use part of Higham Marshes for exercising horses.		
19791034	Erection of agricultural building for housing cattle	Permission	31.12.1979

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- TC2 – Development Affecting the Setting of a Listed Building
- TC3 – Development Affecting Conservation Areas

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt land
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021);
- KCC Solar Policy Position Statement (August 2014);
- Church Street, Higham Rural Conservation Area Appraisal (2017); and
- Gravesham Landscape Character Assessment (2009).

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and

Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works 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.

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting 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.

Consultations, Publicity and Representations

Consultees

KCC – Biodiversity

Summary

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records), and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts. As such, we are satisfied that there is no requirement for an ecological survey to be carried out. However, if the removal of vegetation or intrusive works are required outside the blue line boundary (e.g., to link up the PV array with nearby houses), a review of this position will be required.

Reasoning

We have taken this view because the proposal is for a PV array with a surface area of 54 m² which will be mounted on existing hardstanding with negligible biodiversity interest. The submitted photo of the site and land within the blue line boundary includes very small bushes and short managed grassland; equally likely to have negligible biodiversity interest.

The site for the PV array is approximately 85m west of the Thames Estuary and Marshes Ramsar and South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI). However, the site and land within the blue line boundary is unlikely to form functionally linked land with the nearby designated sites. Further, the site is visually screened from the designated sites by Abbey Farm Barn's boundary wall and, aerial imagery suggests, trees. This reduces the risk of disturbance effects during erection of the array. The proposed development is also not understood to fulfil any of the SSSI Impact Risk Zone listed criteria for consultation with Natural England by the local planning authority regarding the project.

The proposal has the potential to provide a small contribution towards government environmental targets with regards to climate change and indirectly with regards to biodiversity. There are opportunities for the proposed development to make direct contributions to local biodiversity net gains in line with one of the principles of the National Planning Policy Framework: "...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity...". We advise that details of how the site will enhance biodiversity be provided. Biodiversity enhancements could include providing substrate suitable for invertebrates below the solar panels, the installation of bat and bird nesting boxes, and/or provision of native species planting.

Ecological Enhancements – Suggested condition wording:

"Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. The approved details will be implemented and thereafter retained."

Higham Parish Council

No comments received.

GBC – Conservation Officer

No comments received.

Neighbouring properties

Consultation was by way of displaying of a site notice and letters sent to three surrounding properties with an overall expiry date of 19th August 2022. No comments have been received.

Officer's Analysis

Proposal

This application seeks permission for the installation of a 10.88kw ground mounted PV array. The proposed solar panels would be positioned in an area to the north east boundary of Abbey Farm Barn, which lies to the east of the application property. The site contains a number of single storey outbuildings and has large brick boundary wall surrounding the site. The location of the panels would be to the east of the car port garage on an existing concrete base.

There would be 32 module photovoltaic array, mounted in two single rows on a field mounting system. The array will be in two rows of 16 panels mounted in portrait mode at an angle of inclination of 35 degrees. Each panel is 1.69m by 1m and will be no higher than 1.1m off the ground. Each row of panels will be 16m wide, with 2.5m space between the rows. The overall footprint would have an area 85m².

Proposed Location of Array



The applicant has provided a photograph of floor-mounted panels, indicative of those proposed:



Site Description and Surroundings

The application site is defined on the Gravesham Local Plan Core Strategy 2014 Policies Map as lying within the rural area of Higham, within the Green Belt and within the Church Street, Higham Conservation Area. The associated property, Abbey Farm Barn is a Grade II Listed Building. St Mary's Church which is located to the southwest of the site is Grade I Listed. The site is also located within the Higham Arable Farmlands Landscape Character Area.

The application site is within the residential curtilage of Abbey Farm Barn and is surrounding by an

approximate 2m high red brick boundary wall. Access is from Church Street through open aspect wrought iron gates.

The proposed array, would be located to the east of the existing dwelling and car port/garage. Due to the location of the vehicular access and the building arrangement within the site, it is possible that some views of the array would be afforded from Church Street only. However, as the majority of the views would be obscured by the existing boundary wall, as well as being only 1.1m from the existing hardstanding.

The main issues for consideration in the determination of this application are as follows:

- the principle of development in the Green Belt, including appropriateness and the effect on openness;
- the design of the proposed solar panels and the impact on the character and appearance of the conservation area and adjacent listed buildings;
- the effect of the proposal on the amenities of existing neighbouring properties;
- parking and highways; and
- other material considerations – very special circumstances.

Principle of Development in the Green Belt

The application site is located in the Green Belt. Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area, it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 137 of the NPPF 2021). Paragraph 147 of the NPPF 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

With regards to renewable energy projects in the Green Belt, paragraph 151 of the NPPF 2021 is most relevant. This states that elements of many renewable energy projects will comprise inappropriate development, and this is the starting point for considering the application proposal. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed, which may include wider environmental benefits.

As the proposal comprises an inappropriate development in the Green Belt, the effect of the proposal on the openness of, and purposes of including the land within, the Green Belt must be considered.

Openness and Purposes

As stated above, paragraph 137 of the NPPF 2021 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence. Paragraph 001 of the Planning Practice Guidance 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking the following into account:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and

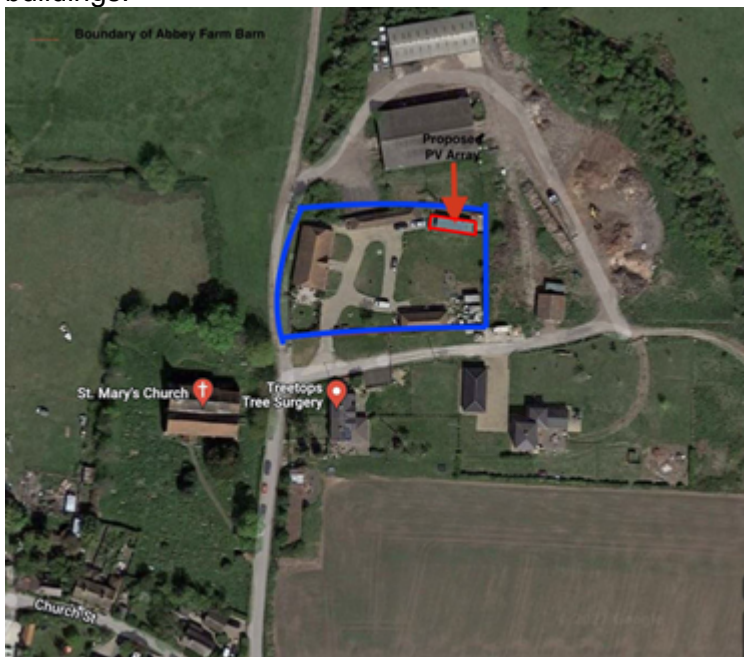
- the degree of activity likely to be generated, such as traffic generation.

In this case, the application site would appear to be within the residential curtilage of Abbey Farm Barn. The panels would be located on an existing hardstanding within the 2m high boundary wall. The site has the main Grade II Listed Building of Abbey Farm Barn to the west of the site, the annexe building to the southeast and the carport/garage to the north. The installation of 32 solar panels with an area of 85m² will reduce the current openness of the site. However, being set within the site behind the existing boundary wall would not represent an encroachment of development into the countryside.

On this basis, the main harm would be from a loss of openness and from the proposal being contrary to one of the purposes that the Green Belt serves. However, it is important to consider the detailed impacts on openness, including how it affects the character and appearance of the area.

Character and Appearance of Surrounding Area

Abbey Farm Barn forms part of a previous farm complex, consisting of the original Kentish barn, cart shed, cowshed and 3 lean-to sheds. The 5 bay Kentish barn was converted into a three bedroom residential dwelling, together with the conversion of the cart shed into a garage/store (Refs. 19990783 and 19990784). The cowshed was converted into a residential annexe (Refs. 20140546 and 20140547) and the 3 lean-to sheds were demolished as part of the conversion of the original barn. The following aerial photograph shows the location of solar panels in relation to the existing dwelling and ancillary buildings:



The site falls within the Higham Arable Farmland Landscape Character Area, of which a key characteristic is its very gently undulating topography and open arable farmland. The majority of the area surrounding the application site reflects this character, consisting of open fields and wooded and hedgerow edges. With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications.

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The site for the proposed solar panels sits within the residential curtilage and is obscured from wider views by the boundary wall. The proposed solar array would consist of 2 rows of 16 panels, covering an area of some 85m². The panels would be mounted on the ground and would be no more than 1.1m high.

The man-made shape and layout of the proposed panels would appear out of place within the rural landscape. However, the proposal is for the panels to be erected on the existing hardstanding, low to the ground. The position of the proposed panels is well enclosed by the existing wall and structures within the application site. The site is close to the main road of Church Street and due to the site being located on a corner, some views of the north east corner of the site maybe afforded due to the open design of the vehicular access gates. However due to the boundary wall further views from the north, east and west would be obscured. As such, visibility of the site from a public vantage point would be negligible given the existence of the site boundaries as they are.

There are no other such similar installations in the wider area, and therefore no cumulative impact would result from the proposal.

Overall, whilst the proposed solar panels would appear out of place within the wider landscape, the visual impact of the proposal would be limited and localised. In addition, the panels replace a previously sited static caravan and as such would have a lesser impact. On this basis, whilst there is some conflict with the conservation requirements of Policy CS12 of the Local Plan, it is not considered that this is significant enough to justify a refusal on the basis of the harm to the character and appearance of the area.

The site is also located within the Church Street, Higham Conservation Area and the proposed PV array would also be within close proximity to the Grade I Listed St Mary's Church and the host dwelling Abbey Farm Barn which is Grade II Listed. The application site has seen a fair amount of changes over the years with the conversion of the original Grade II Listed barn and conversion of the cart and cow sheds. The proposed PV array would be located where once was stationed a static caravan. The arrays would be set away from Abbey Farm Barn by 36.46m and from St Mary's Church by 87m, with wider views obscured by the existing boundary wall and structures within the site. Taking into account the above, it is considered the proposal would not represent a significant change in the character and appearance of the site, and would not therefore result in any significant adverse visual impact on landscape character, the Church Street, Higham Conservation Area, or the Grade I and II Listed Buildings. It must also be considered that solar panels are not permanent (indeed, they have a warranty of 25 years), and could be removed, and the area of the site could revert back. There are no significant activity levels related to the presence of solar panels.

These factors together limit the impact on the landscape and heritage of the site and area and indeed, on openness. The proposal is considered acceptable, and would comply with the overall aims of Policies CS12, CS19 and CS20 of the Core Strategy 2014, and paragraphs 130, 174 and 197 of the NPPF 2021.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

There is no conflict with Policy CS19 of the Core Strategy 2014 in respect of the living conditions for future occupants of the dwelling.

Neighbouring Properties

Abbey Farm Cottages and Abbey Farm lie to the south of the proposed solar panels location, over 60m away and views would be obscured by the existing residential annexe and boundary wall. It is not considered that there would be any impact on this property.

Wider views are obscured by the existing boundary wall

Overall, the proposal would comply with Policy CS19 of the Core Strategy 2014.

Parking and Highways

The parking requirements for the property would be unaffected as a result of the proposal. There would therefore be no conflict with Saved Policy T1 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Other Material Planning Considerations

The applicant has submitted details on the renewable energy benefits of the proposal and the proposed system is expected to generate 12,284 kWh of electricity per year. Any generation not used on site in peak periods would be fed back into the grid to supply neighbouring properties.

The provision of renewable and low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF 2021. There is strong national policy support for the development of renewable energy sources, including solar power, to ensure the country has a secure energy supply, and to reduce greenhouse gas emissions. Although the scheme is modest in size, paragraph 158(a) of the Framework confirms that even 'small-scale projects provide a valuable contribution to cutting greenhouse gas emissions'. Moreover, it is not necessary for the appellant to demonstrate the overall need for the proposal.

Paragraph 158(b) of the NPPF 2021 states that when determining applications for such development, local planning authorities should approve the application if its impacts are (or can be) made acceptable.

Policy CS18 of the Core Strategy 2014 also seeks to reduce the overall carbon footprint of the Borough, and supports stand-alone renewable energy development where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy.

KCC also produced a Solar Policy Position Statement in 2014 in relation to large-scale solar arrays. In summary, it is supportive in principle of the installation of renewable and low carbon energy generation technologies. In Section 3 (Green Belt), it states that very special circumstances will need to be demonstrated before such proposals can be supported, and arguments in favour will need to be weighed against the harm to the Green Belt.

In June 2019, this Council declared a climate emergency which commits the Council to taking a lead in achieving Carbon Neutral status. As acknowledged by the Council and its Climate Change strategy, Climate Change is a reality and over the course of the Over the course of the last 250 years, the actions of humanity have increased carbon dioxide emissions by more than 30%, resulting in higher temperatures and changing the world we live in. Without taking action now, the impact will be devastating.

Given the above policy support, the renewable energy benefits of the proposal should be given substantial weight.

Conclusion and Overall Balancing Exercise

The proposed development would be inappropriate development in the Green Belt, which is by definition, harmful. There would also be a loss of openness arising from the proposal. In line with paragraph 148 of the NPPF 2021, substantial weight is given to such harm.

However, the harm to the character and appearance of the area from the proposal is considered to be limited and localised, and given the nature of the proposal and the remediable aspects of it, such harm is not considered to be substantial enough to warrant a refusal on this basis.

Furthermore, as set out in paragraph 151 of the NPPF 2021, very special circumstances must be demonstrated if renewable energy projects in the Green Belt are to proceed. These include the wider environmental benefits associated with increased production of energy from renewable sources. Although modest in scale, the proposed solar panels would make a valuable contribution to cutting greenhouse gas emissions, and this should be afforded significant weight.

Paragraph 158 of the NPPF 2021 goes on to state that renewable energy applications should be approved if their impacts are, or can be, made acceptable. Given the existing built form including the structures within the site and the 2m high boundary wall, it is considered that the location of the panels are acceptable. Furthermore, a condition to require their removal as and when they are no longer needed can be used to ensure the condition of the land would be restored to its former state.

Therefore, the environmental benefits of the proposal and the acceptability of the impact on the character and appearance of the area, the Church Street, Higham Conservation Area, and the Grade I and II Listed Buildings, are sufficient to outweigh the harm to the Green Belt in this instance. This is considered to amount to the very special circumstances required to justify the proposal in line with the requirements of paragraph 148 of the NPPF 2021 and Policy CS02 of the Core Strategy 2014.

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	22 nd August 2022	Dated:	22nd August 2022