



PLANNING COMMITTEE

Wednesday 27 March

TABLED PAPER

Item 7b

Former Paddock House Care Home , Wellington Road, Eye, IP23 7BE.

AMENDED RECOMMENDATION

(to supersede that in the Committee Report (Mod Gov) at page 95

That Members resolve to DELEGATE authority to the Chief Planning Officer to GRANT planning permission SUBJECT FIRST TO the following amendment [a] or [b] being made to the application to the satisfaction of the Chief Planning Officer

[a] The removal of the PV panels from the dwellings facing Church Street from Plots 1,2 and 3

or

[b] the substitution of the proposed PV panels from Plots 1, 2 and 3 with solar tiles of a type, design and arrangement

And subject to the receipt of amended plans providing the modified detail described below to the satisfaction of the Chief Planning Officer as agreed in principle by the applicant in their Clarification Note dated 21st March 2024. Namely:

[c] amended drawings showing the relocated bin store to Plot 7 as having a fully pitched roof

[d] amended drawings showing a recessed blank window to Plot 1 (west end elevation at first floor)

[e] amended drawings showing the relocation of PV panels on Plots 15 and 16 from the west roof slope (rear) to the east roof slope (front)

And that such permission as may be granted be subject to appropriate conditions at the discretion of the Chief Planning Officer

[f] In the event that the above amendments are not received within 2 months of the resolution or such detail as shall have been submitted is not considered satisfactory the Chief Planning Officer then he be authorised to REFUSE the application under delegated powers for the following reason and such other reasons as he thinks fit:

“The proposed pv panels on the dwellings occupying plots 1, 2, 3, 15 and 16 will result in ‘Less Than Substantial Harm’ to designated heritage assets, namely the Eye Conservation Area and the setting of numerous listed buildings adjoining the site.

This harm will arise from the intrusive nature an alien non-traditional appearance of pv panels installed on the street facing (front) roof slope to the dwellings on plots 1, 2 and 3 within what is a key art of the historic core of Eye. The introduction of pv panels facing Church Street will result in significant harm to the character of the conservation area hereabouts such that the proposal cannot be said to neither preserve nor enhance that character. The existing buildings hereabouts have very distinctive vernacular roofscapes that retain a strong historic significance as they reflect the Towns long history in a largely unaltered form. This redevelopment was approved in the form it was in order to harmonise with that strong character.

The approval of pv panels in such a prominent location is likely to encourage other property owners to seek approval for pv panels on front facing roof slopes on the basis of a consistent application of policy in the conservation area and within the setting of listed buildings. This would quickly erode the charm character and historic significance of heritage assets hereabouts.

In refusing this application the Council as local planning authority suggested a variety of alternatives including the use of solar tiles rather than panels to mitigate the identified harm but the applicant decided not to pursue these.

The proposal is contrary to ALP Policy LP - The Historic Environment and this policy is considered to be the most important within the basket of relevant policies for the determination of this application.

The Proposal is contrary to Neighbourhood Plan policy Eye 16 in that the position of pv panels on the front facing roof slopes of the dwellings on plots 1, 2 and 3 will not contribute positively to the conservation area. They will therefore neither preserve and enhance its intrinsic character and its distinct historic significance.

The proposal is also contrary to the NPPG at paragraphs 203, 205, 206 and most importantly 208 as the identified public benefits that arise from the proposal do not outweigh the identified ‘less than substantial’ heritage harm to the character of the designated Eye Conservation Area and the setting of adjacent statutorily listed buildings”

This amended recommendation has been prompted by a letter dated 24 March 2024 from Ingleton Wood the agent acting for the Council as forwarded to the DM Service by Holly Brett (BMSDC- Head of Service-The Councils' Companies and Development)

In the letter the applicant confirms the following:

1. The amended bin store (adjacent to plot 7) is intended to have a fully pitched roof
2. Agreement to a blank window detail being incorporated into the west end elevation to plot 1 at first floor in place of the previously approved window - now proposed to be omitted within the S73a submission
3. Agreement to the proposed pv panels to plots 15 and 16 being re=positioned from the west facing roof slope to the east facing roof slope.

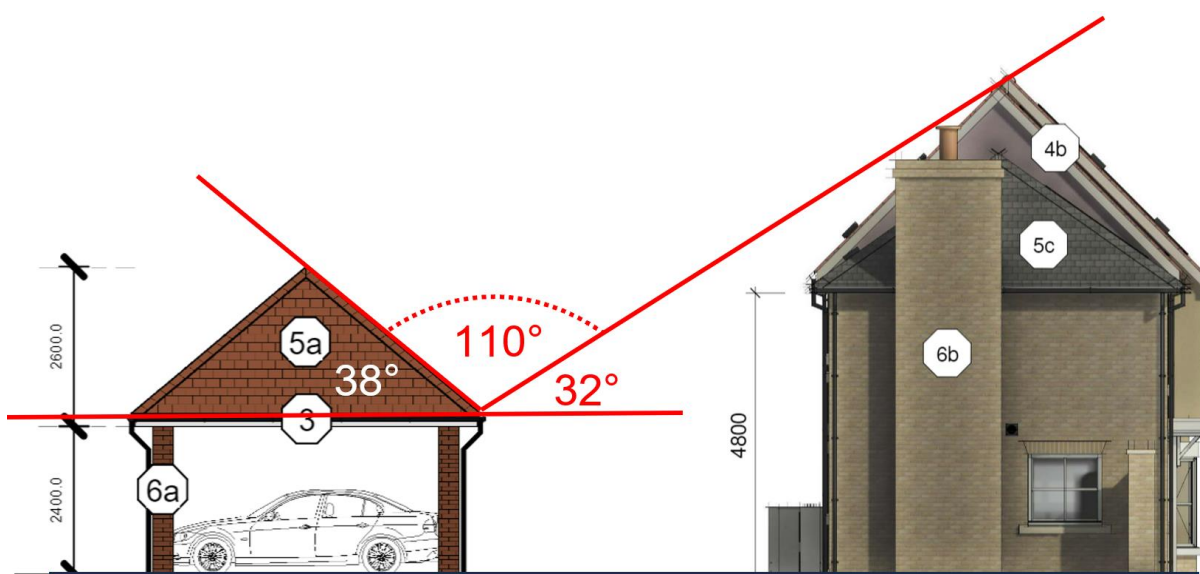
The agent's accommodation of the above requirements is acknowledged and welcomed.

However, he applicant does not agree to make any changes to the proposed pv panel arrangements on plots 1, 2 and 3. The reasons provided are as follows:

“Moving the PV to the car port – The car port cannot support the same mount of PV as the roofs of Plots 1-3. A maximum of 6-8 panels could be accommodated on this roof, compared to the 18 proposed. In addition, this is a single storey car port roof that sits to the north of two-storey dwellings with shallow depth gardens, so this roof would be too shaded. The car port is also detached from these plots and so would lead to further issues in regard to conveyancing and maintenance, as well as requiring separate inverters and infrastructure.

Officer comment

The proximity of the garage roof to the buildings on plot 1, 2 and 3 is acknowledged and some shading could be expected. The diagram below is provided by DM.



Replacing with solar tiles – Solar tiles are a relatively new product and there are a limited number of manufacturers in the UK that are able to supply this product. This is part of the reason why the cost of solar tiles is significantly more than the proposed inset panels, which themselves are at a greater cost than standard bolt-on panels. Proposing solar tiles would add further cost to this development for entirely affordable housing and would create a viability issue for the scheme. In addition, solar panels are more efficient than solar tiles and so t is amendment would result in a lower output of renewable energy for these three plots

Officer comment.

The principal issue for the Planning Committee as local planning authority rather than the Council as Developer here is not one of comparative cost differentials between alternatives but the impact that the alternatives will have on preserving and enhancing the character of Eye Conservation and the their impact on the setting of adjacent listed buildings. The proposed panels on the front roof slopes to the dwellings on plots 1. 2 and 3 are identified as having 'less than substantial harm' and so a pre-cautionary approach. The Council should be setting an example in terms of the quality of infill within an area of such heritage sensitivity.

Remove altogether – The applicant does not consider this a reasonable and equitable approach. The Paddock House development is a fully affordable housing scheme. All residents on the development should gain the benefit from solar PV; providing sustainable energy production and therefore a more affordable cost of living. The suggested approach would leave three affordable homes without the same benefits of sustainable energy production as the rest of the development, therefore is not considered that this is a reasonable approach.”

Officer comment.

It is suggested therefore that solar tiles be used in order to deliver the desired benefits to the occupiers without to consequent harm to the character of the conservation area and setting of adjacent listed buildings.

The full text of the said letter is reproduced below:

Planning Committee Clarification Note

Project:	S73a at Former Paddock House Care Home, Eye	App no:	DC/23/05641
Applicant:	Mid Suffolk District Council	Date:	21st March 2024

As agent for the applicant of Item 7b, we wish to provide the following clarifications to Members following publication of the Committee Report in respect of application reference DC/23/05641.

Parish Council Response

The Committee Report refers to a response from the Parish Council received 19th January 2024 which seeks acknowledgement of previous condition discharge approvals. A response to these comments was provided to the LPA on 30th January 2024, but this is not referred to in the Committee Report and not uploaded to the application file. For the comfort of the Parish Council and for the avoidance of doubt to Members, the applicant's response was as follows:

"I have spotted the most recent comments from Eye Town Council confirming that they have no issue with the application and indeed applaud the addition of PV panels. However, they are seeking clarification on the garden area plans that were discharged separately through condition. I just wanted to confirm that the details previously discharged via condition for the garden area remain the intended proposals, as well as other details that have also been previously discharged through other conditions."

Procedural Matters

Consistent with the above, our response of 30th January 2024 to the LPA also details other approved conditions which, procedurally, should also be acknowledged in any decision notice should this application be approved. The applicant's response to the LPA of 30th January 2024 was:

If this application is approved, a new decision notice will need to be issued and so reference to these previous discharges should be made on the decision, which should be as follows:

- *Condition 10 (Demolition Management Plan) – Part-discharged for demolition stage under application no. DC/22/03095*
- *Condition 14 (Protection of Former Garden Area) – Discharged under application no. DC/22/03095*
- *Condition 15 (Landscaping Scheme) – Discharged under application no. DC/20/04530*
- *Condition 22 (Archaeological Written Scheme of Investigation) – Discharged under application no. DC/22/01169*
- *Condition 30 (construction Surface Water Management Plan) – Part-discharged for demolition stage under application no. DC/22/03095*

Committee Resolution

The Recommendation contained within the final pages of the Committee Report sets out a series of amendments that are being requested. In order to simplify the resolution to be considered and debated, the applicant wishes to clarify their position on each of these suggested amendments.

1. An amended plan to clarify the pitched roof to the bin store adjacent to Plot 7

For the avoidance of doubt, the applicant confirms that the bin store adjacent to Plot 7 has a pitched roof as shown in the submitted elevation plans. The confusion appears to be in relation to the submitted floorplans, where a plane is essentially taken through the entire block to generate floorplans and therefore shows an area of roof void. No amendment is required to any proposed details, but if a clarified plan is necessary, the applicant can provide this.

2. Recessed blank brick window to Plot 1

The applicant agrees to this proposed amendment and will provide an amended plan in due course.

3. Relocate PV on Plots 15 and 16 from western to eastern facing slope

The applicant agrees to this proposed amendment and can provide an amended plan in due course.

4. Amended details for the PV to Plots 1, 2 and 3

The applicant does not intend to provide the suggested amendments to the proposed PV to Plots 1, 2 or 3 for the following reasons:

- **Moving the PV to the car port** – The car port cannot support the same amount of PV as the roofs of Plots 1-3. A maximum of 6-8 panels could be accommodated on this roof, compared to the 18 proposed. In addition, this is a single storey car port roof that sits to the north of two-storey dwellings with shallow depth gardens, so this roof would be too shaded. The car port is also detached from these plots and so would lead to further issues in regard to conveyancing and maintenance, as well as requiring separate inverters and infrastructure.
- **Replacing with solar tiles** – Solar tiles are a relatively new product and there are a limited number of manufacturers in the UK that are able to supply this product. This is part of the reason why the cost of solar tiles is significantly more than the proposed inset panels, which themselves are at a greater cost than standard bolt-on panels. Proposing solar tiles would add further cost to this development for entirely affordable housing and would create a viability issue for the scheme. In addition, solar panels are more efficient than solar tiles and so this amendment would result in a lower output of renewable energy for these three plots.
- **Remove altogether** – The applicant does not consider this a reasonable and equitable approach. The Paddock House development is a fully affordable housing scheme. All residents on the development should gain the benefit from solar PV; providing sustainable energy production and therefore a more affordable cost of living. The suggested approach would leave three affordable homes without the same benefits of sustainable energy

production as the rest of the development, therefore is not considered that this is a reasonable approach.

Based on the foregoing, the applicant requests that Members are mindful of the above clarifications when considering the proposed recommendation for this Item.

The following images within the published report appear to have moved slightly on the page and so are reproduced here to ensure all the detail is visible.

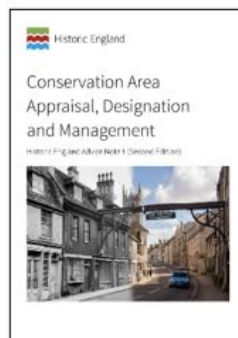
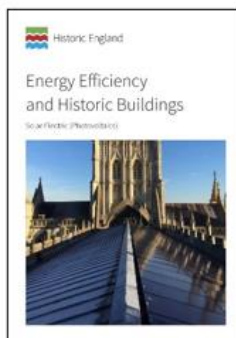
figure 6



figure 6:

**Blank window detail
previously approved on
the dwelling on plot 1**

figures 23



figures 23: **Relevant Historic England Guidance and Advice Notes**