

BOROUGH OF KETTERING

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| Committee | Full Planning Committee - 21/09/2011 | Item No: 5.2 |
| Report Originator | Alex Jelley Development Officer | Application No: KET/2011/0060 |
| Wards Affected | Queen Eleanor and Buccleuch | |
| Location | 42 Skeffington Close, Geddington | |
| Proposal | Full Application: Single storey rear and first floor front extensions. Alterations to porch | |
| Applicant | Mr & Mrs K Tate | |

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

REASON: In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the north elevation or roof plane of the extensions.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statements/Guidance Notes 1 and 22, Policy 2 of The East Midlands Regional Plan, and Policy 13 of the North Northamptonshire Core Spatial Strategy. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

This application was considered and deferred by the committee at its meeting on 26 April 2011. This application seeks permission for a single storey rear and first floor front extension with alterations to the roof and porch at No. 42 Skeffington Close, Geddington. All matters were considered by the committee to be acceptable and in accordance with planning policies, but Members were concerned regarding just one issue: the impact of the extension on the efficiency of solar panels on the neighbour's roof. Members asked for this issue to be further investigated with the applicant and the neighbour occupier of 41 Skeffington Close. That investigation has now been completed and this report summarises the findings and further comments of the applicant and neighbouring property owner in Section 7 below.

4.0 Consultation and Customer Impact

See original report (Appendix 1)

5.0 Planning Policy

See original report (Appendix 1)

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

Impact of the Proposals on Existing Photovoltaic Panels

Since the application was last presented to Planning Committee, research has been undertaken by officers and additional information submitted by both the applicant and the neighbour.

The applicant has submitted a Sunlight Report by Nicolas Nicolov, BN Project Ltd (An extract is contained within Appendix 2); a 'Buyer's Guide to Solar Electricity Panels' by the Energy Saving Trust (An extract is contained within Appendix 4); and various pieces of documentary evidence relating to PV Panels and loft insulation. The neighbour has submitted an alternative Sunlight report by PV Sol Expert 4.0 (An extract is contained within Appendix 3); and various documents relating to the efficiency of solar panels. These reports have been assessed with regard to national policy guidance and the Development Plan, and the Joint Planning Unit was contacted for advice.

Both reports submitted indicate that the proposed roof alterations would cast a shadow on the PV panels during the months of October – March. This shadow will impact upon the productivity of the PV panels as even a very modest shadow can result in a larger than expected impact – not only will the cells that are shaded be producing less power, but as the cells within a panel are wired

in series, the shaded cells affect the current flow of the whole panel.

According to information submitted by the applicant from the Energy Savings Trust, the months October to March account for approximately 28% of the annual generation (See Appendix 4). This figure is based on a 2.2kWp system that produces an annual generation of approximately 1880 kWh. The neighbour has submitted information that suggests that the annual generation of his system will be 354.15 kWh. Using the Energy Savings Trust's approach, the shadowing during October – March would therefore result in a loss of 99.162 kWh. The PV panels would continue to generate approximately 254.988 kWh on an annual basis, or 72% of the current estimated generation. This assumes that the PV Panels fail to operate at all during those months. In reality, it is likely that the performance will be detrimentally affected, but not entirely stopped. However, for the sake of discussion, a worst case scenario approach would be that the shadowing effect involves the complete cessation of operation during the months of October to March, resulting in a 28% loss of estimated electricity generation.

Policy 14 of the North Northamptonshire Core Spatial Strategy, Policies 39 and 40 of the East Midlands Regional Plan and national policy guidance in the form of PPS22 establish that development should meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. Local authorities should promote the development of a distributed energy network using local low carbon and renewable resources. Though there are no specific policies that safeguard individual pieces of equipment, it is clear that the aim of the Development Plan is to promote renewable energy installations, such as that at No. 41 Skeffington Close, and as such this issue is a material planning consideration that should be given some weight. The question of how much weight should be given to it is therefore important. The companion guide to PPS1 explains general planning principles with regard to this issue. Paragraph 29 states that:

“The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience a financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.”

The loss of 28% of the estimated annual generation of the PV Panel will impact upon the neighbour in a financial sense. However, the PV panel will continue to provide approximately 254.988 kWh a year. It is considered that the loss of 28% of the annual productivity is not realistically a matter of protecting the public interest; rather it is solely a matter of private interest relating to the financial aspect. The PV installation will continue to operate at a satisfactory level from a public interest perspective – in that it will continue to contribute (collectively) towards localised renewable energy production at an estimated level of at least 72% efficiency.

The desire to address climate change/renewable energy targets in this instance does not outweigh the general criteria contained within Policy 13 of the North Northamptonshire Core Spatial Strategy and guidance within PPS1 which supports the proposed extension (see Appendix 1).

Conclusion

The proposed extension will not detrimentally impact upon the productivity of the PV panel (in a public interest sense) to a degree that is sufficient to warrant refusal of this application, and the application is otherwise in full accordance with the policies of the Development Plan. Since the proposal accords with the Development Plan and material considerations do not outweigh the statutory policy presumption in favour of it (S.38(6) of the Planning and Compulsory Purchase Act 2004) the application is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alex Jelley, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

SITE LOCATION PLAN

42 Skeffington Close, Geddington
Application No.: KET/2011/0060



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