

**Item No 09:-**

**19/02990/LBC**

**1 Fivebells  
Church Street  
Bledington  
Chipping Norton  
Gloucestershire  
OX7 6XG**

## Item No 09:-

### Installation of solar panels to outbuilding at 1 Fivebells Church Street Bledington Chipping Norton Gloucestershire OX7 6XG

<b>Listed Building Consent 19/02990/LBC</b>	
Applicant:	Mr Christopher Kubale
Agent:	Project Solar UK
Case Officer:	Amy Hill
Ward Member(s):	Councillor Julian Beale
Committee Date:	13th November 2019
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

#### **Main Issues:**

(a) Impact on Heritage Assets

#### **Reasons for Referral:**

The application has been referred to the Planning and Licensing Committee due to the nature of the application and the weight to be given to the public benefit resulting from the provision of a renewable energy source. Officers consider that this balance would benefit from consideration by the Planning Committee.

#### **1. Site Description:**

The site consists of a grade II listed two-storey (with attic rooms above) Cotswold stone dwellinghouse, formally an Inn and now one of two cottages. The outbuilding which is subject to this application is located within the garden of No 1 and is curtilage listed. No historical information has been provided on the outbuilding but from reviewing historic maps the building is identified on the 1890 1st edition historic epoch and formed a complex of courtyard buildings. It is a red brick building with a profile metal roof, which is a recent replacement.

There are a number of other grade II listed buildings near the site, including 2 Fivebells, Maylyns and Jasmine Cottage, and the grade I listed St Leonard's Church, with surrounding grade II listed monuments.

The site is within the Bledington Conservation Area and Cotswolds Area of Outstanding Natural Beauty (AONB).

#### **2. Relevant Planning History:**

The site:

09/00266/LBC - Refurbishment of outbuilding including reinstatement of chimney - Approval February 2009

#### **3. Planning Policies:**

NPPF National Planning Policy Framework

#### **4. Observations of Consultees:**

Conservation Officer: Views incorporated within Officer's report

#### **5. View of Town/Parish Council:**

Bledington Parish Council raised no objection to the proposal but are concerned regarding the precedence of solar panels in a conservation area.

#### **6. Other Representations:**

3 Letters of Objection have been received. Concerns raised include:

- i) Impact on listed property, Jasmine Cottage;
- ii) Views from Jasmine Cottage (including of the Church);
- iii) Glare from solar panels;
- iv) Impact on recently extended parts of Jasmine Cottage;
- v) Impact on enjoyment of garden due to solar panels presence;
- vi) Inappropriate impact on recently permitted new dwellinghouse including glare;
- vii) Not within the character of the setting;
- viii) Harm to the historic location within the Conservation Area;
- ix) Visibility of these from the road once dwelling built;
- x) Concern over precedence within beautiful part of the village;
- xi) Would not preserve existing situation;
- xii) Overlooking from panels of garden area and a wish for these to be camouflaged.

#### **7. Applicant's Supporting Information:**

Specifications of Solar Panels  
Proposed Drawings  
Design And Access Statement  
Heritage Statement  
Photographs  
System Information

#### **8. Officer's Assessment:**

As the building is curtilage listed and adjacent to other listed buildings, the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the buildings or their setting or any features of special architectural or historic interest they possess. This duty is required in relation to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.

The building is located within the Bledington Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In 2009 an application was submitted, and approved, to restore this outbuilding including the reinstatement of a chimney. This application seeks to install solar panels to the roof of the outbuilding.

The agent has advised that the front/north-west facing solar panels would be expected to provide 1251.36kWh/year and the rear/south-east facing solar panels 2219.92kWh/year, i.e. a total of 3471.28kWh/year. The annual consumption for the property is currently 5456kWh/year, and it is expected that at least 75% of the generation will be used (2603.46 kWh). The agent has also advised that the applicant is also considering purchasing an electric vehicle which will also use generated electricity, which in turn will make any export to the grid from this system minimal.

## **(a) Design and Impact on Heritage Assets**

Section 16 of the NPPF states that historical 'assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'. Specifically Paragraph 192 states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Whilst any measure of renewable energy generation is welcomed in playing a part in mitigating climate change, in the case of a sensitive historic site, like this, the impact of the proposal on the significance of the heritage assets must be fully taken into consideration. In weighing any harm against the benefits, great weight should be given to the conservation of the assets, in line with statutory requirements.

The present roof is of corrugated metal and of typical agricultural character for this form of outbuilding. The Historic England Guidance "Energy Efficiency and Historic Buildings - Solar Electric (Photovoltaics)" states that the location of the panels and managing their visual impact is an important part of the design. When assessing locations for solar installations, these should be sympathetic to a building's historic character and architectural interest. The roof is a shallow pitched metal roof typical of such courtyard buildings. It is without a parapet or internal slope to hide the solar panels, as such these black panels will be visually prominent against the grey roof slope; this is exacerbated by the style of solar panels raised from the roof plane.

The panels are proposed to be added to the principal elevation of the outbuilding as well as the rear. The material, design and finish of the panels unavoidably gives a starkly modern and smooth appearance, when contrasted with the traditional materials of the curtilage listed building. This would appear incongruous against the traditional construction and character of this outbuilding. Officers consider that the panels would therefore fail to be sympathetic to the building's historic character and architectural interest.

At present the roof of the building is not prominent in the street scene but a change to the roofing material through the introduction of solar panels will enhance its prominence. The rear roof of the outbuilding is viewed from Church Lane and while these are glimpse views, the solar panels would be prominent within them. There will be a change to the character and appearance of the street scene due to the change in the buildings appearance from that of a rural nature. It is considered that this would have a harmful impact to the character and appearance of the designated conservation area.

Solar panels can be accommodated on many buildings, for example, where they are hidden from view by parapets, or internal roof slopes which cannot be seen from ground level. Where there are exposed roof pitches as in this instance, it is recommended that alternative locations for panels be reviewed. This is due to the harmful impact of the panels on the rural and agricultural character of the asset itself and views of the roof from Church Lane and the designated conservation area.

Whilst alternative suggestions of ground mounted panels within the garden were suggested, these were not considered feasible by the applicant. The Conservation Officer has also advised that a further alternative could be in the future when being re-roofed that natural blue slates be added with an element of solar slates incorporated. This technology is advancing and provides a seamless and unobtrusive method of adding new technology without having a harmful visual

impact on designated heritage assets. Alternative renewable energy solutions were raised with the agent who advised that options were limited for installation elsewhere on the site, and that due to the roof covering in-roof systems or solar slates could not physically be installed. It is noted that the roof was replaced relatively recently and is in good condition.

It is acknowledged that planning permission has been granted for a new dwellinghouse immediately to the rear of the outbuilding. This includes a 1.8m wall along the boundary and the house itself, which would potentially limit some views into the site. However, such development could not be ensured, nor could the potential for the removal of the existing outbuildings obscuring much of the view be discounted.

As noted above, there are a number of listed buildings within the vicinity. The grade I listed church is sufficiently separated from the proposal that it is considered not to affect its setting. The grade II listed buildings which back onto the site, including Jasmine Cottage, whilst visible in the context with the solar panels, the impact on their setting would be limited due to the separate relationship with the building.

The harm to the curtilage listed building, and by virtue of this, to the conservation area, is less-than-substantial but is nevertheless considerable. In weighing the public benefits of the solar array against the level of harm in this case, and giving the conservation of the heritage assets great weight, it is considered that the public benefits of providing a level of renewable energy to a single dwelling (even with a potential small contribution to the national grid) would not outweigh the harm.

#### **9. Conclusion:**

It is considered that the proposed development would result in harm to the significance of the curtilage listed outbuilding and to the Bledington Conservation Area. The harm is less than substantial but is nevertheless considerable, given the nature of the proposals, the prominent location of the panels, and their impact on the fundamental character of this traditional outbuilding.

In weighing the public benefits of the solar array against the level of harm in this case, and giving the conservation of the heritage assets great weight, it is considered that the public benefits would not outweigh the harm. The proposals therefore do not meet the test at Paragraph 196 of the NPPF and to grant consent would be contrary to the statutory requirements of the Local Planning Authority of within the 1990 Act.

#### **10. Reasons for Refusal:**

1. The outbuilding is a curtilage grade II listed building, identified on the 1890 1st edition historic epoch and formed a complex of courtyard buildings. It is a red brick single storey building with a profile metal roof, which is a recent replacement. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, the Local Planning Authority is statutorily required 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. The current proposal, by virtue of the solar panels location and appearance, would neither preserve the special architectural or historic interest of the listed building, nor sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such, to grant consent would be contrary to the statutory requirements of the Local Planning Authority under Section 16(2) of the 1990 Act. The proposal conflicts with paragraph 196 of the National Planning Policy Framework.

2. 1 Fivebells lies within the Bledington Conservation Area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, there is a statutory duty for the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The current proposal, by virtue of solar panels location and appearance, would neither preserve nor enhance the character and appearance of the Bledington Conservation Area, nor sustain its significance as a designated heritage asset. The harm would be less-than-substantial, but not be outweighed by any resultant public benefits. As such, to grant consent would be contrary to the statutory requirements of the Local Planning Authority under Section 72(1) of the 1990 Act. The proposal conflicts with paragraph 196 of the National Planning Policy Framework.