

**Item No 06:-**

**19/03095/FUL**

**Pigeon House  
Church Road  
Kemble  
Cirencester  
Gloucestershire  
GL7 6AE**

**Item No 06:-**

**Installation of solar panels to southern roof of outbuilding at Pigeon House Church Road Kemble Gloucestershire GL7 6AE**

| <b>Full Application<br/>19/03095/FUL</b> |                       |
|--|-----------------------|
| Applicant:                               | Mr A Berry            |
| Agent:                                   | LPC (Trull) Ltd       |
| Case Officer:                            | Hannah Rose           |
| Ward Member(s):                          | Councillor Tony Berry |
| Committee Date:                          | 13th November 2019    |
| <b>RECOMMENDATION:</b>                   | <b>REFUSE</b>         |

**Main Issues:**

- (a) Provision of Renewable Energy
- (b) Character, Appearance and Impact on Heritage Assets
- (c) Landscape Impact

**Reasons for Referral:**

The determination of the application has been referred to the Planning and Licensing Committee in accordance with the Council's Scheme of Delegation because the applicant is Cllr. Tony Berry.

**1. Site Description:**

The application site comprises two individually listed buildings; the Pigeon House and 'barn and former stable'.

The Pigeon House is a Grade II listed residential barn conversion. The barn is a large stone threshing barn with a stone tile roof and an interesting dovecote above the southern porch. The building underwent substantial alteration during conversion including the insertion of domestic style window openings and chimneys, which have impacted on its character and significance as a historic agricultural building.

The barn and former stable outbuilding to the north east of the site is also Grade II listed and has been partially converted to ancillary accommodation. The building is much less altered and retains a strong agricultural character and many features of historic interest are preserved. The two higher ranges to the eastern end are stone with stone tiled roofs. To the left is a lower single storey range containing boarded door openings. Attached to its western end is a further structure, which is the subject of this application.

This structure forms part of this listed building. It is wider in plan depth with a slacker pitched roof and is covered in corrugated iron. There is a masonry stone wall to the rear and historic timber posts on straddle stones to the front. The structure is open fronted.

Between the outbuilding and dwelling is a detached modern garage building. Surrounding the site is modern residential development to the north and Grade II\* listed All Saints Church to the south. Owing to intervening buildings, vegetation and the separation distance, the building subject to this application is considered not to be within the setting of All Saints Church. The site is located within Kemble Conservation Area and Kemble and Ewen Special Landscape Area.

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

15/04235/FUL - Conversion of barn to residential annexe. Permitted 19/01/2016

## **3. Planning Policies:**

NPPF National Planning Policy Framework  
EN1 Built, Natural & Historic Environment  
EN2 Design of Built & Natural Environment  
EN4 The Wider Natural & Historic Landscape  
EN6 Special Landscape Areas  
EN10 HE: Designated Heritage Assets  
EN11 HE: DHA - Conservation Areas  
INF10 Renewable & Low Carbon Energy Develop't

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

Conservation Officer: Objection. Full comments can be read in the main body of the report.

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

No comments received at the time of writing the report.

## **6. Other Representations:**

No comments received at the time of writing the report.

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

Design and Access Statement  
Heritage Statement

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011-2031.

The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

### *Proposal and Background*

The applicant is seeking planning permission for the installation of solar panels on the southern slope of the corrugated iron roof to the lower western part of the outbuilding range. Two rows of ten panels are proposed. The overall projection from the plane of the roof would be 79mm and the panels would have a black finish.

Planning permission is required because the solar panels would be located on a listed building.

### **(a) Provision of Renewable Energy**

Local Plan Policy INF10 seeks positively to encourage renewable and low carbon energy development while ensuring any adverse impact is satisfactorily addressed. Applications

therefore need to demonstrate that any adverse impacts individually and/or cumulatively, including; visual amenity; landscape character; heritage assets; biodiversity; water quality and flood risk; highways; residential amenity, including shadow flicker, air quality and noise, are or can be satisfactorily mitigated.

Local Plan Policy INF10 also requires applications to demonstrate that proposals are of an appropriate type, scale, and design for the location and setting and are compatible with surrounding land uses.

Paragraph 154 of the NPPF states that, 'When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable'.

Taking into account Policy INF10, the provision of solar panels as a renewable energy source is supported in principle, subject to an assessment of adverse impacts. Given the domestic scale of the proposed works and location within the residential curtilage of the site, the scheme is considered not to cause an adverse impact to water quality, flood risk, biodiversity, highways, amenity, air quality or noise. The panels would be installed onto a listed building, within the setting of another listed building and would be located in Kemble Conservation Area and Special Landscape Area. As such, these aspects will be assessed in further detail below.

#### **(b) Character, Appearance and Impact on Heritage Assets**

The outbuilding range that is the subject of this application (a former barn and stable), and the main dwelling itself (a barn conversion known as The Pigeon House), are both Grade II Listed Buildings. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the buildings, their setting, and any features of special architectural or historic interest they may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The site also lies within the Kemble 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 area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. This is supported by Section 12 of the NPPF.

Specifically, paragraphs D.59 - D.62 of the Cotswold Design Code provide guidance regarding sustainable design and states that 'the potential impacts of climate change can be addressed through a variety of means, from the incorporation of better insulation and renewable energy technologies, to adaptations for severe weather events, and the use of local and recycled building materials.' The Design Code also stresses that sustainable design needs to be responsive to the character of the area and the sensitivities of the site.

Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm.

Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials

and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas. Hard and soft landscaping should respect the character and appearance of conservation areas and proposals should have regard to the relevant conservation area appraisal.

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.

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 proposed drawings show 20 solar panels installed across the roof slope. The product information supplied shows a black style of panel (minimising silver framing and surface lines), but the appearance would be a typical array of solar panels. The material, design and finish of such panels unavoidably gives a starkly modern, smooth appearance, when contrasted with the traditional materials of the listed building. The Conservation Officer considers that the solar panels would be visually intrusive and would appear incongruous against the traditional construction and character of this outbuilding range. The panels would therefore fail to be sympathetic to a building's historic character and architectural interest.

Despite this part of the building having a tin roof covering currently, this is a material that was used on some outbuildings and agricultural structures as far back as the nineteenth century. There are traditional precedents for it and, in character and appearance terms, the existing roof covering is not considered out of keeping or harmful to the significance of the building. The existing corrugated iron does not, in Officers' view, justify in itself a more starkly modern material applied to this roof.

Officers consider that the proposed solar panels would be harmful to the significance of the listed outbuilding range, and also to the setting and significance of the adjacent Pigeon House barn conversion. The traditional design, materials and features of these buildings are key to their significance, and to introduce an array of panels so starkly modern would in our view diminish that significance. The roof slope in question is very prominent within the garden setting of the Pigeon House, and seen in close relationship to that listed barn conversion. The panels would appear intrusive and incongruous and they would detract from the positive contribution the outbuilding range makes to the setting of the main barn.

In considering any impact on the character and appearance of the conservation area, the solar panels are fairly discretely sited, not being prominent in public views. The public benefit of these renewable energy installations would outweigh the limited harm to the significance of the conservation area, so there are no objections on these grounds.

The proposed solar panels are considered to be harmful to the significance of the listed outbuilding range, and also to the setting and significance of the adjacent Pigeon House. 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 not considered that the public benefits of providing a level of renewable energy to a single dwelling would not outweigh the harm. The proposal therefore fails to accord with Policy EN10 or paragraph 196 of the NPPF.

It is of note that with regard to the provision of renewable energy installations that may have a harmful impact within a sensitive historic setting such as this, it is important to assess the site as a whole in terms of energy performance. Although local and national policy encourages renewable and low carbon energy development, in the first instance, Officers would encourage occupiers to maximise the performance of the fabric of the building itself, before considering the installation of energy saving technology. This can include measures such as maximising air tightness, solar gain and natural ventilation and is known as a 'fabric first' approach. These measures are generally less invasive and have a far lesser impact on the significance of the buildings and are generally considered to be more sustainable than relying on energy saving technology or renewable energy generation, which can be expensive, and may or may not be used efficiently by the consumer. There may also be other forms of energy generation that are more sympathetic. Photovoltaics, for example, can come in the form of solar slates or similar that mimic a traditional roof covering and therefore have a lesser impact on the character and setting of the buildings. The application submission does not include an assessment of alternative renewable energy solutions and the agent has confirmed that they did not intend to make any amendments to the application.

### **(c) Landscape Impact**

Local Plan Policy EN4 supports development where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas.

The site is located in Kemble & Ewen Special Landscape Area. Local Plan Policy EN6 states that development within Special Landscape Areas will be permitted provided it does not have a significant detrimental impact upon the special character and key landscape qualities of the area including its tranquillity.

Paragraph 170 of the NPPF requires planning decisions to contribute to and enhance the natural environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

The site is located on the edge of the Principal Settlement of Kemble and has a semi-rural character. Owing to the minor scale of the works and siting within a residential setting, the proposed panels are considered not to adversely affect the landscape character, tranquillity or distinctiveness of the area. The proposal would therefore accord with Local Plan Policies EN4 and EN6 and paragraph 170 of the NPPF.

### **9. Conclusion:**

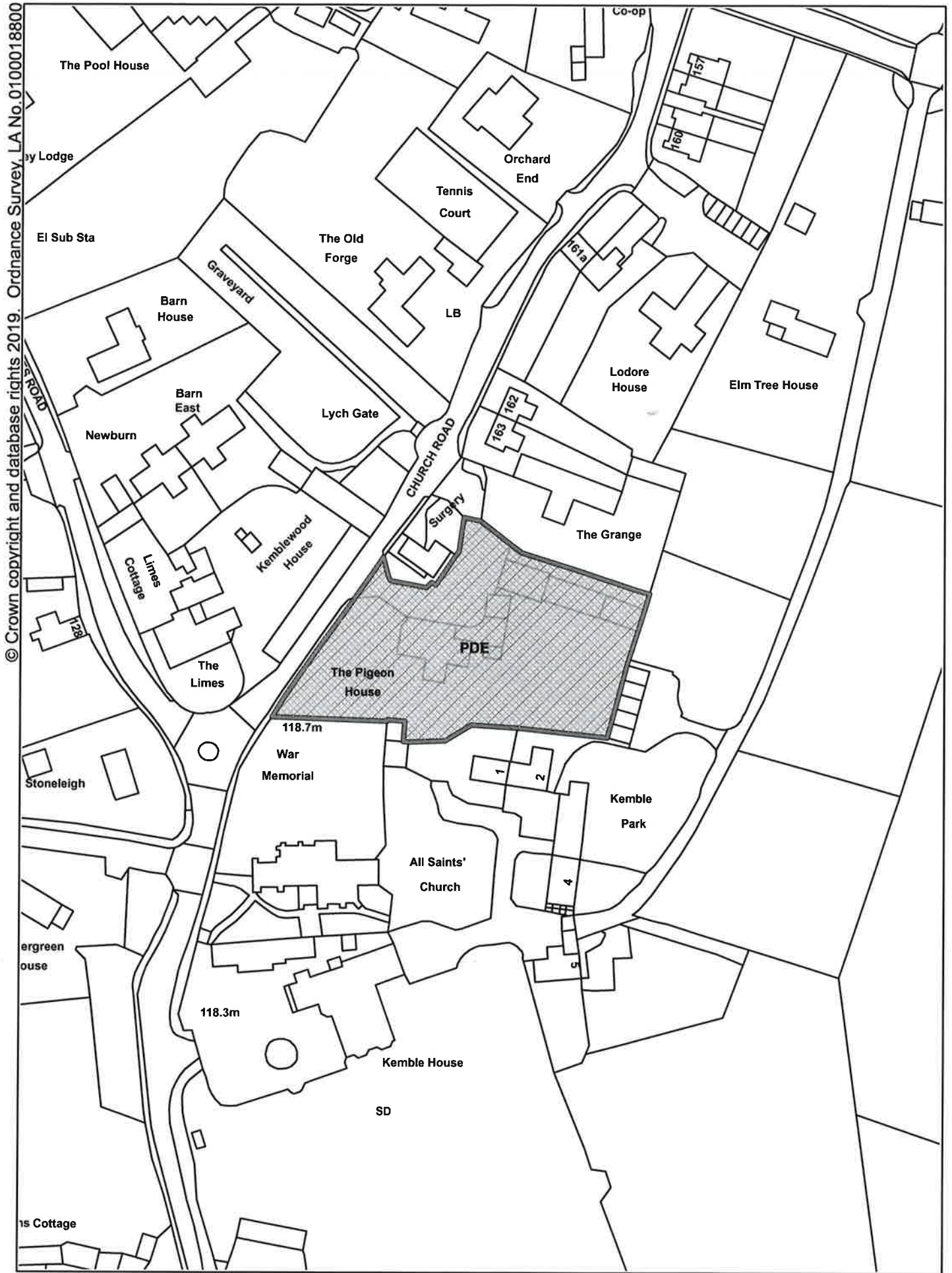
The proposed development would result in harm has to the significance of the listed outbuilding range and to the setting and significance of Pigeon House. The harm is less than substantial but is nevertheless considerable, given the nature of the proposals, the prominent location of the panels, and their 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 not considered that the public benefits would outweigh the harm. The proposal therefore fails to accord with Policy EN10 or paragraphs 154 or 196 of the NPPF. There is also a failure to preserve the building and the setting of the adjacent listed Pigeon House, which is contrary to our statutory duties within the 1990 Act.

Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it comprises less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

#### **10. Reason for Refusal:**

1. The outbuilding range and The Pigeon House itself are both Grade II Listed Buildings. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the buildings, their setting, and any features of special architectural or historic interest they may possess. The proposal is to fit solar panels to the southern roof slope of part of the outbuilding range. By virtue of their starkly modern appearance and prominent location, the proposed solar panels would appear intrusive and incongruous, detracting from the traditional materials and construction that are fundamental to the character and significance of the building. This outbuilding range also makes an important contribution to the setting of The Pigeon House, being seen in very close relationship to it. As such there would be both harm to the significance of the outbuilding range, and to the setting and significance of The Pigeon House. This harm is less than substantial but nevertheless considerable, and when weighed against the public benefits of the proposal, the harm is not judged to be outweighed by those benefits. The proposal is therefore contrary to paragraph 154 and Section 16 of the National Planning Policy Framework and Local Plan Policies INF10 and EN10.



**PIGEON HOUSE CHURCH ROAD KEMBLE**

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 31/10/2019

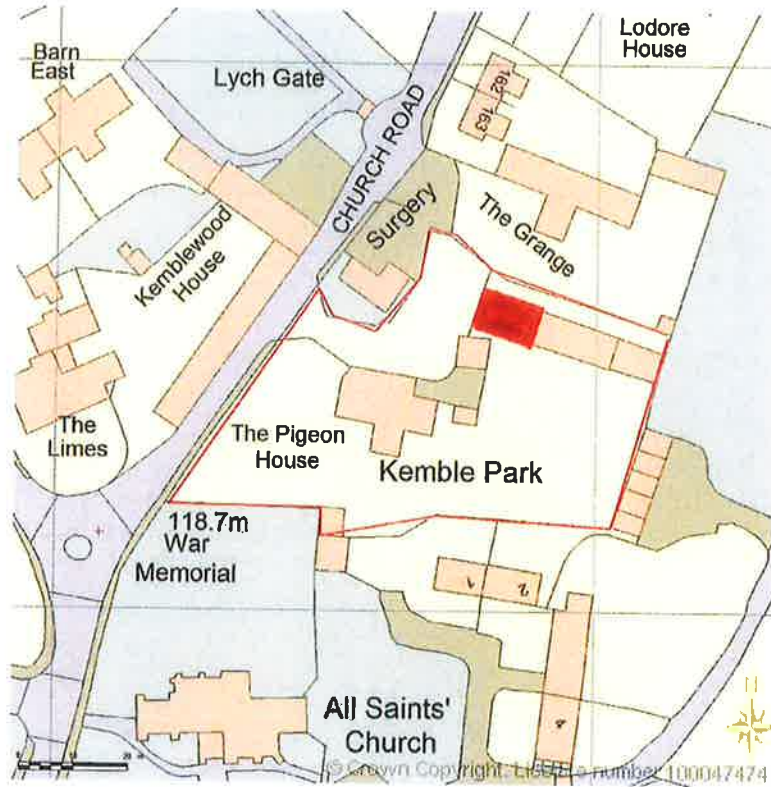


**COTSWOLD**  
DISTRICT COUNCIL





**SITE LOCATION PLAN  
AREA 2 HA  
SCALE 1:1250 on A4  
CENTRE COORDINATES: 398963, 197039**

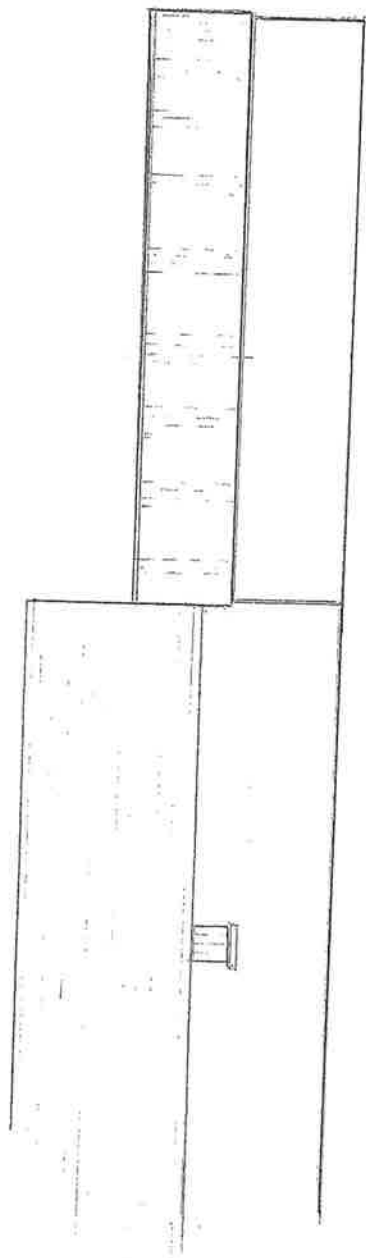


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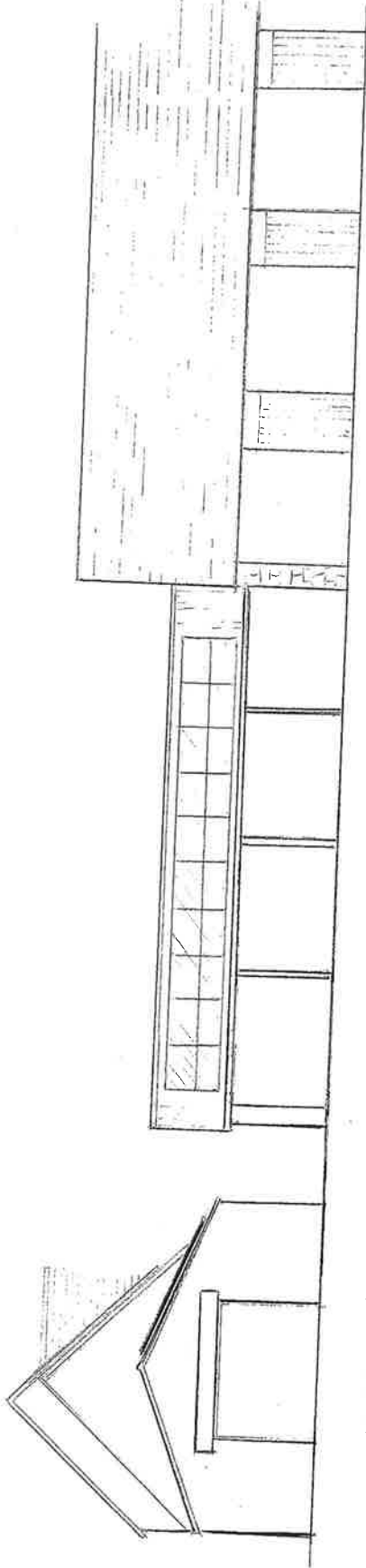
lpc  
Planning Consultants  
Tel: 01285 841433

Client : Mr A Berry  
Project : The Pigeon House  
Drawing : Proposed Elevations

1:100 at A3  
Drawing Number: LPC 4669 No.2



North Elevation



South Elevation

West Elevation



## LG NeON<sup>®</sup> 2 Black

LG330N1K-V5 | LG325N1K-V5  
LG320N1K-V5

### 60 Cells

LG's new module, NeON<sup>®</sup> 2 Black, adopts CELLO technology. CELLO technology replaces 3 busbars with 12 thin wires to enhance power output and reliability.

NeON<sup>®</sup> 2 Black demonstrates LG's efforts to increase customer value beyond efficiency. It features enhanced warranty, durability, performance under real environmental conditions, and aesthetic design suitable for roofs.



CELLO technology



### KEY FEATURES



#### Enhanced Performance Warranty

LG NeON<sup>®</sup> 2 Black has an enhanced performance warranty. The annual degradation has fallen from -0.5%/year to -0.35%/year.



#### Better Performance on a Sunny Day

LG NeON<sup>®</sup> 2 Black now performs better on sunny days thanks to its improved temperature coefficient.



#### Aesthetic Roof

LG NeON<sup>®</sup> 2 Black has been designed with aesthetics in mind; thinner wires that appear all black at a distance. The product can increase the value of a property with its modern design.



#### Double-Sided Cell Structure

The rear of the cell used in LG NeON<sup>®</sup> 2 Black will contribute to generation, just like the front; the light beam reflected from the rear of the module is reabsorbed to generate a great amount of additional power.

#### About LG Electronics

LG Electronics is a global big player, committed to expanding its operations with the solar market. The company first embarked on a solar energy source research program in 1985, supported by LG Group's vast experience in the semi-conductor, LCD, chemistry and materials industries. In 2010, LG Solar successfully released its first MonoX<sup>®</sup> series to the market, which is now available in 32 countries. The LG NeON<sup>®</sup> (previous MonoX<sup>®</sup> NeON), NeON<sup>®</sup>2, NeON<sup>®</sup>2 BiFacial won the "Intersolar AWARD" in 2013, 2015 and 2016, which demonstrates LG Solar's lead, innovation and commitment to the industry.