

## Officer Report On Planning Application: 15/03660/LBC

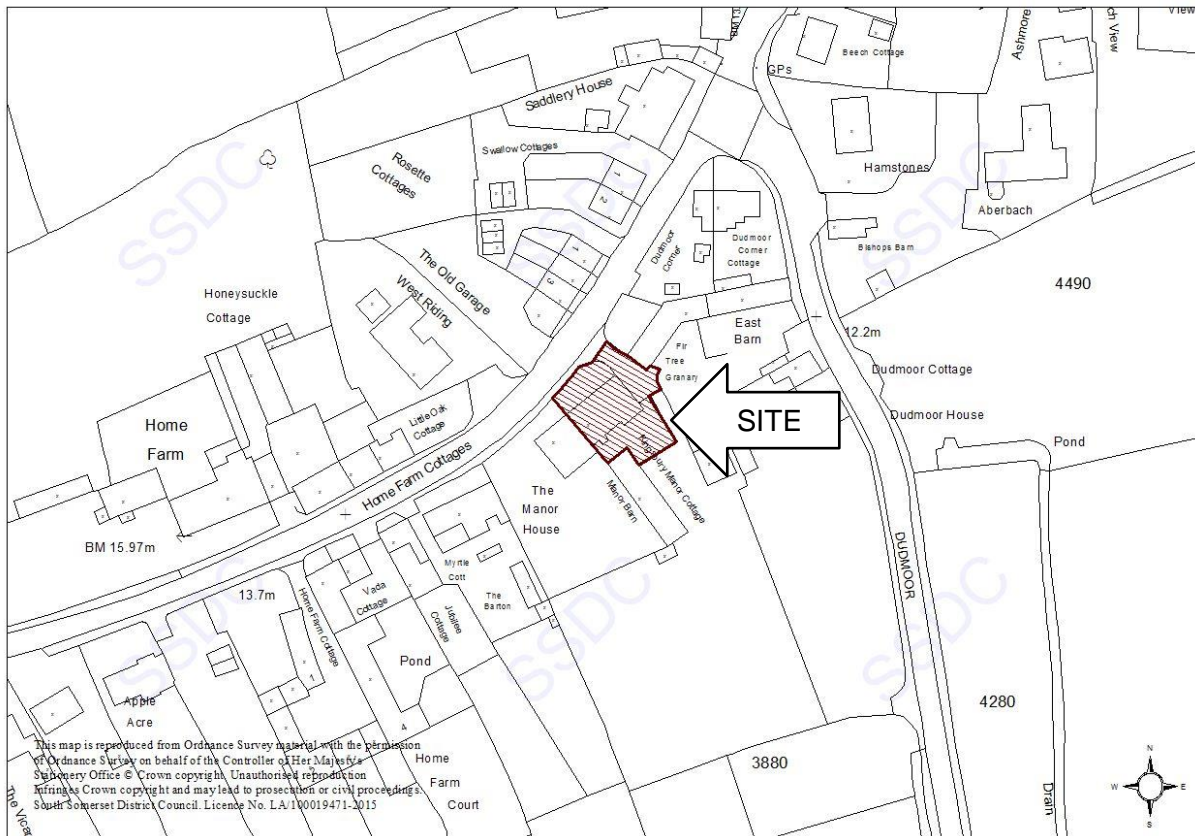
<b>Proposal :</b>	Erection of a tube system solar panel on rear roof slope of dwellinghouse (Retrospective) (GR:343330/120884)
<b>Site Address:</b>	Kingsbury Manor Cottage, Folly Road, Kingsbury Episcopi.
<b>Parish:</b>	Kingsbury Episcopi
<b>BURROW HILL Ward (SSDC Member)</b>	Cllr Derek Yeomans
<b>Recommending Case Officer:</b>	Stephen Baimbridge Tel: 01935 462321 Email: stephen.baimbridge@southsomerset.gov.uk
<b>Target date :</b>	6th October 2015
<b>Applicant :</b>	Mr And Mrs Geoffrey And Vivian Hobbs
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	Other LBC Alteration

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the request of the Ward Member to enable the issues raised by the Parish Council to be debated.

### SITE DESCRIPTION AND PROPOSAL





The site is located on Folly Road, within the Kingsbury Episcopi Conservation Area.

The property is one half of the sub-divided Grade II listed detached, two-storey dwelling constructed of brick elevations beneath a slate roof.

The application seeks permission for the erection of a tube system solar panel on the rear roof slope of dwelling house (retrospective).

## RELEVANT HISTORY

15/02396/LBC: The carrying out of internal and external alterations including enlargement of internal opening, and rainwater goods (Implemented).

14/05420/LBC: Demolition of small dilapidated outbuilding attached to the rear of the dwellinghouse

03/03350/LBC: Removal of load bearing wall between kitchen and dining room, fit 2 no. U beams, build up supports to beams

95/06203/LBC: Alterations to existing dormer window and provision of a roof light

## POLICY

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities 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'

Paragraph 132 of the NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application.

The policies of most relevance to the proposal are:

Policies of the South Somerset Local Plan (2006-2028):  
Policy EQ3- Historic Environments

National Planning Policy Framework (NPPF)  
Chapter 12 - Conserving and Enhancing Historic Environment

National Planning Policy Guidance (NPPG)  
Decision-taking: historic environment

## **CONSULTATIONS**

**Kingsbury Episcopi Parish Council** - no objections

**Conservation Officer** - The proposal is for one solar thermal panel on the rear elevation of this listed building in a conservation area.

The starting point for the exercise of listed building control is the statutory requirement on local planning authorities 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' (section 16)

Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

Applicants for consent that affects a heritage asset must be able to justify their proposals. The NPPF says that the LPA should require an applicant to describe the significance of any heritage asset affected including any contribution made to their setting. This should be sufficient to understand the potential impact of the proposal on its significance. As a minimum the Heritage Environment Record should have been consulted and the building assessed using appropriate expertise where necessary. When considering the impact of development, great weight should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant. Any harm should be judged against the public benefit.

This is supported by the statutory requirement for applications for LBC include a design and access statement. This statement requires information on the principles and concepts applied to the works in relation to the design and the listed building and its setting.

The solar thermal panel is the evacuated tube style where water is circulated through eight individual glass tubes. These are held at the top, and the whole stands above the roof plane. This assembly is clearly visible from the ground, and relates to a main elevation of the house. The design with the individual glass types quite obtrusive and clearly alien to the listed building.

The proposal is harmful to the character and appearance of the listed building by reason of its design and position.

## **REPRESENTATIONS**

None received

## **CONSIDERATIONS**

The primary consideration for an application for listed building consent is assessing what impact the proposals will have on the character of the listed building.

Significant weight is put on the expert advice of the Conservation Officer, who objects to this solar thermal panel on the basis that it is a modern and alien design, and position on the roof plane. The design and position are therefore harmful to the character of the listed building.

The NPPF states that, when considering the impact of development, great weight should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant. Any harm should be judged against the public benefit - the NPPG explains that the benefit should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. There is no clear and convincing justification that the harm caused by the solar system to the historic character of the building benefits the general public at an appropriate scale, in any way.

It is therefore considered that the application adversely affects the character of this listed building contrary to the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

## **RECOMMENDATION**

Refuse.

01. The proposed solar thermal panel, by reason its inappropriate design and position would result in detriment to the historic and architectural interests of the building. As such this proposal is contrary to the NPPF and Policy EQ3 of the South Somerset Local Plan (2006-2028).

**Informatives:**

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, there were no minor or obvious solutions to overcome the significant concerns caused by the application.

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