DELEGATED REPORT

Recommendation Made: 15 August 2011

Reference:- 11/00479/FUL **Parish:- Stoke Golding Parish Council**

Applicant:- Miss Suzanne Molyneux
14 Andrew Close
Stoke Golding
Nuneaton
Leicestershire

Location:- 14 Andrew Close Stoke Golding Nuneaton Leicestershire CV13 6EL

Proposal:- ERECTION OF 10 SOLAR PHOTOVOLTAIC PANELS.

Introduction:-

This application seeks full planning permission for the installation of solar panels to the front roof of this detached dwelling house.

The dwelling is constructed of brown brick with grey pantile roof tiles.

The proposal involves the insertion of ten solar panels on the front roof plane that have the following dimensions; 1651 mm in length x 923 mm in width x 46 mm in depth.

The application site falls within the Stoke Golding Conservation Area and the boundary of the Bosworth Battlefield as identified in the Stoke Golding Conservation Area Appraisal.

Planning History:-

None

Consultations:-

Site notice displayed on 19/07/2011 and neighbours notified

No objection has been received from:

Stoke Golding Parish Council

One neighbour objection received objecting on the following grounds:

a) Visual impact on their property
b) Impact on view from the rear of their property
c) Views from Ashby Canal are not views of the application property therefore misleading

One neighbour letter received questioning the need to submit a full planning application:

a) Questions why Andrew Close should fall within a Conservation Area
b) 1970s and 1980s properties with no architectural merit
c) Why do residents of Andrew Close have to submit a full planning application
d) Time and costs to residents for submitting a planning application for solar panels
e) Change the approach to determining a planning application for solar panels in this location of Stoke Golding

Development Plan Policies:-

Adopted Local Plan

The site lies within the settlement boundary of Stoke Golding as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development
Policy BE7 - Development in Conservation Areas

Stoke Golding Conservation Area Appraisal
Sustainable Design Supplementary Planning Documents

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed solar panels on the character and appearance of the existing dwelling, the character of the conservation area and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Stoke Golding, as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

Impact on Existing Dwelling

In terms of design, the solar panels will be photovoltaic modules rectangular in shape. The solar panels will project 125 mm from the roof plane which is acceptable outside conservation areas under Permitted Development. The panels will be grouped together on the front elevation in “portrait” format, with two rows of five panels giving a coherent appearance.

It was advised the colour of the units should be in keeping with the colour of the roof. The proposal is for dark grey photovoltaic modules, and this colour is considered to be sympathetic against the dark grey tiles used in the construction of the application property and was recommended by the Conservation Officer.

Whilst it may be argued solar panels alter the character of dwelling houses, the insertion of the proposed solar panels will not have an 'adverse' impact on the character of this modern dwelling and is therefore acceptable.

Conservation Area

Due to the siting on the front elevation of the roof it is considered that the insertion of solar panels will have no impact on the Battlefield site. It has been noted English Heritage did not wish to comment on the application.

Since the proposal is on the south elevation, facing the street, the solar panels will be positioned a significant distance away from Ashby Canal and its protected views to the north of the site. Being at the end of the street and behind properties within this modern estate, it will have limited impact on Station Road to the south of the site. On this basis, it is considered that the development preserves the character of the Stoke Golding Conservation Area.

In response to the representation received questioning the validity of the photographs taken from Ashby Canal in the Design and Access Statement, this has been noted. Whilst the information submitted in the Design and Access Statement is considered, the process of assessing an application includes a site visit as well as taking into consideration the comments made by the Councils Conservation Officer.

Neighbours Amenities

In response to the representation that raises concern over the visual impact of solar panels on their property, the solar panels will project 125 mm from the roof plane and will be over 16 metres to the nearest property along Crown Hill Close. Given the size, siting and minimal amount of projection from the roof, it is not considered the panels will have a material impact on neighbour’s amenities.

Additional Issues

A representation has been received that questions the approach taken on having to apply for planning permission for solar panels along Andrew Close, Stoke Golding. Under legislation solar panels inserted on buildings that fall within a Conservation Area do not fall under Permitted Development therefore require planning permission. Each application is then considered on their own individual merits through the planning process. Special attention is given to the desirability of preserving or enhancing the appearance of a Conservation Area. The Conservation Area of Stoke Golding includes a wide area and this was designated in June 2004.

The Stoke Golding Conservation Area Appraisal states that planning permission is required for alterations of the roof, which results in its enlargement. This is a 'general' planning control regardless of the quality of development within this section of the Conservation Area. Indeed, Andrew Close is referred to in the appraisal as being of a discordant design in the streetscape nevertheless there is a more sensitive broader area and impacts on the wider area needs to be considered. This is the adopted approach and policy to assessing applications for alterations to the roof within the Conservation Area of Stoke Golding.

With regards to the impact of development on private views out of houses, this is not a material planning consideration.

Conclusion

The proposal would respect the scale and character of the existing dwelling, preserves the character of the Stoke Golding Conservation Area and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policies BE1 and BE7 of the Local Plan and is therefore recommended for approval subject to conditions. The development preserves the character of the Stoke Golding Conservation Area.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed solar panels would not detrimentally impact on the character and appearance of the existing dwelling, preserves the character of the Stoke Golding Conservation Area and would not harm neighbours amenities and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 & BE7

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

2 The solar panels to be used shall be dark grey photovoltaic modules as indicated in the design and access statement and drawing AC03 received on 14/06/2011, unless otherwise agreed in writing with the Local Planning Authority.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:-

Drawing - AC01 - Received on 14/06/2011
Drawing - AC02 - Received on 14/06/2011
Drawing - AC03 - Received on 14/06/2011
Drawing - AC05 - Received on 14/06/2011
Drawing - AC10 - Received on 08/07/2011
Drawing - AC011 - Received on 08/07/2011

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the solar panels have a satisfactory external appearance to accord with Policy BE1 and BE7 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Kevin Roeton Ext 5919