

Delegated Report

Planning Ref: 24/00381/LBC
Applicant: Mr Neil Womesley
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 36 Main Street Newbold Verdon Leicester

Proposal: Installation of solar panels to roof

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the installation of 14 solar panels to the rear roof of 36 Main Street, Newbold Verdon.
- 2.2. The proposed solar panels would measure 1.81 metres in height, 1.09 metres in width and approximately 0.10 metres in depth.
- 2.3. 8 of the solar panels are proposed to the roof of the garage and the further 6 solar panels are proposed to the roof of the later addition rear extension.
- 2.4. The proposed solar panels would be mounted to the existing roof tiles using Clenergy pitched roof mounting system – PV – ezRack.

3. Description of the site and surrounding area

- 3.1. The application dwelling comprises a two-storey cottage situated within the settlement boundary and conservation area of Newbold Verdon.
- 3.2. 36 Main Street also known as Cob Cottage is a grade II listed building which originally dates from the late-17th century. It is located within historic core of Newbold Verdon and the Newbold Verdon Conservation Area. The listed building entry (National Heritage List England (NHLE) ref 1115714) identifies the building as "Cottage. Late C17, altered early C19. Pebbledashed render, thatched roof having single brick axial stack. Lobby entry plan. 2 storey irregular 4 bay front, having off centre half glazed door covered by C20 rustic thatched porch with to left 2 glazing bar sashes and to right a single similar window. To first floor are 2 margin light sashes and a small fixed light. To the left a lower blank narrow addition with slate roof." Due to the special historic and architectural interest of the building it also makes a positive contribution to the character and appearance and this significance of the Newbold Verdon Conservation Area.
- 3.3. The cottage has been extended and adapted over time, including the addition of two dual pitched roof two storey extensions attached to the rear elevation and a single storey dual pitched roof garage situated off the side elevation, set back slightly from the street scene. Both have traditional clay tile roofs. Whilst the extensions and the garage are of no particular historic or architectural interest in their own right it is considered that they have an appropriate character and appearance, and they sit comfortably upon each particular elevation.

4. Relevant planning history

02/01122/TPO

- REMOVAL OF ONE LOMBARDY POPLAR
- TPOCAP
- 01.11.2002

03/00856/TPOCA

- REMOVAL OF ONE LOMBARDY POPLAR
- TPOCAP
- 01.09.2003

04/00357/TPOCA

- WORKS TO ONE TREE
- TPOCAP
- 10.05.2004

05/01132/TPOCA

- WORKS TO TREE
- TPOCAP
- 14.12.2005

07/00639/FUL

- ALTERATIONS TO DWELLING AND ERECTION OF REPLACEMENT DOUBLE GARAGE
- WDN
- 05.08.2007

07/00640/LBC

- ALTERATIONS TO DWELLING
- LISTED
- 07.08.2007

07/01015/FUL

- ALTERATIONS TO DWELLING AND ERECTION OF REPLACEMENT DOUBLE GARAGE
- PER
- 16.10.2007

07/01016/LBC

- ALTERATIONS TO DWELLING AND ERECTION OF REPLACEMENT DOUBLE GARAGE
- LISTED
- 16.10.2007

10/00976/TPOCA

- REMOVAL OF ONE DAMSON TREE
- TPOCAP
- 26.01.2011

13/00066/TPOCA

- Works to trees
- TPOCAP
- 25.02.2013

17/00865/TPOCA

- Re-pollard 1x Yew by approx. 2.5-3m; Fell 1x Tree of Heaven
- TPOCAP
- 05.10.2017

20/00312/LBC

- Repair to roof, installation of drain around property
- APPRET
- 25.03.2020

21/00366/LBC

- Proposal to install charging point for electric vehicle on building wall adjacent to driveway.
- LISTED
- 27.05.2021

82/00273/4

- RETENTION OF GARAGE
- PER
- 16.04.1982

79/00436/4

- RETENTION OF A GARAGE
- PER
- 30.05.1979

76/00262/4

- RETENTION OF GARAGE
- PER
- 23.03.1976

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

- 5.2. No objections have been received.

6. Consultation

6.1. Newbold Verdon Parish Council;

- 6.2.
- No objections have been received.

6.3. HBBC Conservation Officer;

“The proposal is for the installation of solar panels upon the rear (eastern facing) elevations of the two storey extensions and the garage. The solar panels will only be visible from the rear of the cottage and will therefore have minimal visual impact on the character of the building and the wider area. They would not be visible from the front elevation of the listed building or the conservation area street scene which is where the heritage significance of these two heritage assets is most greatly appreciated. The panels would be fixed to the later additions rather than the original house and so will not damage any historic fabric, and the panel mounting system used will sit above the traditional roof tiles which will not be required to be removed prior to installation. Overall, it is considered that the panels are sensitively and appropriately sited and specified as to avoid adverse impacts upon affected heritage assets.

There is strong support for the provision of renewable energy installations of all scales within Policy DM2 of the adopted SADMP and paragraphs 157 and 163 of the NPPF (2023) and this is a material consideration in favour of the proposal. Therefore, on balance, by virtue of their siting, design and appearance it is considered that reasonable steps have been taken to avoid or mitigate any significant adverse impacts arising from the development and that the environmental benefits of the proposal would offset any limited visual harm to the dwelling or surrounding area. The proposals are therefore considered to be a sustainable development and in accordance with Policies DM2 and DM10 of the adopted SADMP.

For the above reasons it is considered that the proposal is compatible with the significance of the grade II listed building 36 Main Street, and it would preserve the character and appearance and thus significance of the Newbold Verdon Conservation Area. Consequently, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.”

6.4. Historic England;

- No objections have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural centres Stand Alone

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development

- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act 1990

8. Appraisal

8.1. Key Issues

- Impact upon the special historic fabric and architectural interest and significance of the Grade II listed building and its setting

Impact upon the special historic fabric and architectural interest and significance of the Grade II listed building and its setting

- 8.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses. Section 66 of the Act places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.
- 8.3 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.5 Policies DM11 and DM12 of the adopted SADMP seek to protect and enhance the historic environment including listed buildings and heritage assets. The policies seek to ensure that all proposals for the extension or alteration of listed buildings and development within their setting shall only be permitted where it is demonstrated that they are compatible with the significance of the building to ensure that the significance of a listed building and its setting is preserved and enhanced.
- 8.6 36 Main Street (Cob Cottage) is a building of special architectural and historic interest. The listed building entry (National Heritage List England (NHLE) ref 1115714) identifies the building as *“Cottage. Late C17, altered early C19.*

Pebbledashed render, thatched roof having single brick axial stack. Lobby entry plan. 2 storey irregular 4 bay front, having off centre half glazed door covered by C20 rustic thatched porch with to left 2 glazing bar sashes and to right a single similar window. To first floor are 2 margin light sashes and a small fixed light. To the left a lower blank narrow addition with slate roof."

- 8.7 The proposal is for the installation of solar panels upon the rear (eastern facing) elevations of the two storey extensions and the garage. The proposed solar panels would measure 1.81 metres in height, 1.09 metres in width and approximately 0.10 metres in depth. The panels would host an approximate 0.10 metre separation distance from one panel to another.
- 8.8 8 of the solar panels are proposed to the roof of the garage. The solar panels would be set in from the ridge of the roof by approximately 0.32 metres and would be set in from the slope to the north-east by approximately 0.47 metres.
- 8.9 The further 6 solar panels are proposed to the roof of the later addition rear extension. The 3 solar panels to the lower half of the later rear extension would be set in approximately 0.10 metres from the ridge and would be set in from the slope to the south-west by approximately 0.27 metres. The 3 solar panels to the higher half of the later rear extension would be set in approximately 0.56 metres from the ridge and would be set in from the slope to the south-west by approximately 0.43 metres.
- 8.10 To reiterate the comments provided by HBBC Conservation Officer, The solar panels will only be visible from the rear of the cottage and will therefore have minimal visual impact on the character of the building and the wider area. They would not be visible from the front elevation of the listed building or the conservation area street scene which is where the heritage significance of these two heritage assets is most greatly appreciated. The panels would be fixed to the later additions rather than the original house and so will not damage any historic fabric, and the panel mounting system used will sit above the traditional roof tiles which will not be required to be removed prior to installation. Overall, it is considered that the panels are sensitively and appropriately sited and specified as to avoid adverse impacts upon affected heritage assets.
- 8.11 For the above reasons it is considered that the proposal is compatible with the significance of the grade II listed building 36 Main Street, and it would preserve the character and appearance and thus significance of the Newbold Verdon Conservation Area. Consequently, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
 - (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.5 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.6 The equality implications arising from this application relate to the protected characteristics of [*define characteristic and who this relates to and how it is addressed in the assessment of the application by reference to planning policies and national guidance*].
- 9.7 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. By virtue of their design, scale and position the proposed solar panels are considered to be compatible with and would preserve the special architectural and historic interest and therefore significance of the grade II listed building, Cob Cottage, 36 Main Street, Newbold Verdon. The proposals are considered to be in accordance with Policies DM1, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16 and 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore recommended for listed building consent approval subject to conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:
 - Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Site Location Plan
- Block Plan, Drg No. 0044-NMB-XX-XX-DR-A-0001
- Proposed Elevations, Drg No. 0044-NMB-01-XX-DR-A-1100
- Design and Access Statement, Drg No. 0044-NMB-RP-A-0001 all as received by the Local Planning Authority on the 19th April 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Should the solar panel arrays hereby permitted no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months then they shall be removed from the roof within 3 months after the end of the 6 months cessation period.

Reason: In the interests of visual amenity and to protect the character and appearance of the application dwelling and surrounding area in accordance with Policies DM2 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- a.) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.