

Delegated Report

Planning Ref: 23/00488/HOU

Applicant: Mrs Isobel Hazlewood

Ward: Newbold Verdon With Desford & Peckleton

Site: 51 Main Street Newbold Verdon Leicester



Hinckley & Bosworth
Borough Council

Proposal: Proposed solar panels and satellite dish

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application seeks full planning consent for the installation of solar panels and a satellite dish at 51 Main Street, Newbold Verdon.
- 2.2. The proposed solar panels would measure approximately 6.80 metres in length, approximately 2.85 metres in height and 0.10 metres in depth. The panels are proposed to be erected on the roof of the principle elevation and are to be sited on top of the original roof tiles. 12 solar panels are proposed in total.
- 2.3. Additional works include the installation of a satellite dish to the east facing wall.
- 2.4. The solar panels are to be photo voltaic panels.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey mid-20th century detached dwelling situated within the settlement boundary and conservation area of Newbold Verdon. It features red brick, brown roof tiles and white uPVC windows and doors. The dwelling is set back from the street scene by approximately 12.67 metres, it features a large front garden enclosed by modern brick walls.
- 3.2. The street scene varies in design, scale and finish with the exception of 51-55 Main Street which are all uniform.
- 3.3. The Borough Council of Hinckley (Land at The Rectory, 57 Main Street, Newbold Verdon) Tree Preservation Order 2006 (06/00008/TPORD) protects two Beech trees, a Sycamore tree and a Norway Maple tree to the rear of the application site situated on the grounds of Rectory Gardens. The trees are highly viewable from the highway due to their size.

4. Relevant planning history

81/00654/4

- CONVERSION OF SINGLE GARAGE TO DOUBLE GARAGE
- WDN
- 23.07.1981

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. No objections have been received.

6. Consultation

6.1. The HBBC Conservation Officer:

As commented by the HBBC Conservation Officer the installation of the solar panels would cause a low level of less than substantial harm to the significance of the Newbold Verdon Conservation Area. This harm should be weighed against the public benefits of the proposal as per the requirements of paragraph 202 of the NPPF and Policy DM11 of the SADMP DPD. Given the Council's commitment to address the climate change emergency the generation of domestic scale renewable energy resulting from the installation of the panels would be an environmental public benefit that attracts considerable weight. There would also be some limited economic benefit from the short term employment required for the installation of the panels with attracts some minor weight. Despite the great weight that should be attributed to the conservation of the significance of the conservation area, in this case given the low level of less than substantial harm caused it is considered that the level of the public benefits attributed to the proposed installation of the solar panels would outweigh the less than substantial harm to the significance of the conservation area, and consequently the proposal would comply with paragraph 202 of the NPPF and Policies DM11 and DM12 of the SADMP DPD

7. Policy

- 7.1. Newbold Verdon Neighbourhood Plan 2018-2036
- Policy Env 8: Renewable Energy Generation Infrastructure
- 7.2. Core Strategy (2009)
- Policy 8: Key Rural Centres Relating to Leicester
- 7.3. 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
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Newbold Verdon Conservation Area Appraisal (NVCAA) (2009)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area and the Newbold Verdon Conservation Area

- 8.2 This proposal seeks consent to install solar panels and a satellite dish upon 51 Main Street, Newbold Verdon. The application site is located within the Newbold Verdon Conservation Area.
- 8.3 51 Main Street is a detached dwelling dating from the mid-20th century. The Newbold Verdon Conservation Area Appraisal (NVCAA) (2009) identifies that “the detached dwellings at 51 to 55 Main Street are set back from the street with large front gardens enclosed by modern walls which go against the traditional feel of the conservation area”. Due to its siting back from the street scene and clearly modern character and appearance it is considered that 51 Main Street makes a minor negative contribution to the significance of the conservation area and as such it is identified as a weak area in the NVCAA.
- 8.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.5 Section 16 of the National Planning Policy Framework (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.
- 8.6 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.7 Policy Env 8 of the Newbold Verdon Neighbourhood Plan seeks to ensure that proposals will not have an adverse impact upon the character of the surrounding landscape of Newbold Verdon.
- 8.8 To reiterate the comments provided by HBBC Conservation Officer, the proposal is for 12 solar panels to be installed on the roof slope of the front (south facing) elevation of the building and a satellite dish on the side (eastern) elevation of the building.
- 8.9 Due to the separate distance between number 51 and the neighbouring dwelling to the east the satellite dish would be visible from the Main Street highway, and as such planning permission is required, however given its siting towards the rear of the side elevation and its very limited scale it is considered that the proposal for a satellite dish would have no adverse visual impact upon the character and appearance of the conservation area.
- 8.10 The solar panels are to be arranged in two rows of six panels sat symmetrically on the roof plane of the front elevation. Due to the orientation of the dwelling the panels would be visible in the public domain and given their semi-industrial appearance they would have an adverse visual upon the building and the wider conservation

area, standing out as an incongruous feature. Given the south facing orientation of the front elevation of the dwelling there are no means of avoiding this adverse visual impact, as placing the panels on the north rear facing elevation is not practicable. However, given the set back of the dwelling a considerable distance from Main Street, that it is not a dwelling of traditional character, and the symmetrical arrangement of the panels, it is considered that the adverse visual impact from their installation is minor in magnitude. In the terms of the NPPF the level of harm caused to the significance of the Newbold Verdon Conservation is considered to be less than substantial and at the lower end of this spectrum of harm.

- 8.11 As currently proposed the harm caused to the conservation area must be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP DPD and paragraphs 199, 200 and 202 of the National Planning Policy Framework.

Impact upon neighbouring residential amenity

- 8.12 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site. Policy Env 8 of the Newbold Verdon Neighbourhood Plan seeks to ensure that proposals will not have an adverse impact upon the health, wellbeing or amenities of residents and visitors.
- 8.13 Given their maximum height, siting and overall scale, the proposed photovoltaic solar panels will not introduce structures that will harm the amenity afforded to neighbouring dwellings.
- 8.14 Therefore, overall the proposals accord with Policy 10 of the SADMP and Policy Env 8 of the Newbold Verdon Neighbourhood Plan.

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.

10. Conclusion

- 10.1 Paragraph 199 of the NPPF states that great weight should be given to the conservation of designated heritage assets. Paragraph 200 of the NPPF states that any harm to the significance of any designated heritage asset should require clear and convincing justification. The need for clear and convincing justification is reiterated in Policy DM12 of the SADMP DPD. The justification provided is that the applicant wishes to reuse the panels from another site and that their use would constitute a form of renewable energy.
- 10.2 Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and enhancing the historic environment – paragraph 20), such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
 - Reducing or removing risks to a heritage asset
 - Securing the optimum viable use of a heritage asset in support of its long term conservation
- 10.1. In this case given the low level of less than substantial harm caused it is considered that the level of the environmental attributed to the proposed installation of the solar panels would outweigh the less than substantial harm to the significance of the conservation area, and consequently the proposal would comply with paragraph 202 of the NPPF and Policies DM11 and DM12 of the SADMP DPD
- 10.2. Paragraph 152 of the NPPF (2021) states that the planning system should support renewable and low carbon energy and associated infrastructure. Paragraph 158 of the NPPF (2021) 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.'*
- 10.3. The development plan in this instance consists of the adopted Core Strategy (2009), and the SADMP (2016). Whilst there are no specific policies relevant to the proposal within the Core Strategy, Spatial Objective 12: Climate Change and Resource Efficiency does seek to minimise the impacts of climate change by, amongst other measures, increasing the use of renewable energy technologies and minimising pollution, including greenhouse gas emissions.
- 10.4. Policy DM2 of the adopted SADMP states that the Borough Council is committed to reducing its environmental impact through carbon reduction measures and through the support of appropriately designed and sited renewable energy and low carbon developments. It further states that planning applications for the development of renewable energy and low carbon development installations at the domestic, community and commercial scales will be supported where all reasonable steps have been taken to avoid or mitigate any adverse impacts including, but not limited to, landscape, noise, visual and cumulative impacts.
- 10.5. It is therefore considered that there is strong support within both local and national planning policies for the development of domestic scale renewable energy installations such as that proposed subject to all other planning matters being satisfactorily addressed. The proposal would respect the character of the existing dwelling and the surrounding area. It would retain the private amenity within the

curtilage and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policies DM1, DM10, DM11 and DM12 of the SADMP, Policy Env 8 of the Newbold Verdon Neighbourhood Plan, the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 16 of the NPPF.

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 18th May 2023.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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

Site Location Plan, as received by the Local Planning Authority on the 18th May 2023.

Proposed Elevations, Drg No. 51MS/A1, as received by the Local Planning Authority on the 31st May 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- 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.