

Delegated Report

Planning Ref: 23/01076/FUL

Applicant: Mr Kevin Morrell

Site: Sheepy Memorial Hall, 112 Main Road, Sheepy Magna,
Atherstone, Leicestershire

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Proposal: Installation of solar panels on a building

Recommendations

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

Planning application description

- 2.1. The application proposes the installation of solar panels on the roof of the existing building. 24 panels are proposed in total.
- 2.2. According to the Design & Access Statement submitted with the application electricity is the largest cost to the hall and in line with the Borough Council climate emergency and the Governments plans to get the country to net zero carbon emissions, the committee who manage the hall feel that installing solar panels, battery storage and inverter to allow electricity to be exported and imported, will go a significant way to realising these goals.
- 2.3. There will be 10 panels on the east pitched roof space and a further 14 on the west space. These will be connected to 17.8Kw batteries which will be on the east wall of the hall with an inverter which will allow electricity to be exported and imported to and from the national grid.
- 2.4. The batteries will stand on a single row of concrete paving slabs and the inverter will be attached to the wall. The batteries and inverter will be enclosed with a louvered wooden panelled enclosure for protection from the weather.
- 2.5. Black solar panels are proposed to minimise impact on the surrounding area.
- 2.6. The total area covered is 47sq meters.
- 2.7. The proposed will reduce one of the largest costs facing the Hall & permission will help safe guard the future of the hall for future generations.

Description of the site and surrounding area

- 3.1. Sheepy Hall was built between 1814-16, when it was opened for use as a chapel. The pitched roof Hall is constructed of red brick with an eave height of approx. 5m, a width of 6.4m and a length of 16m. A car park which parks approx. 10 vehicles is located west of the site and separated from the Hall by 3 detached dwelling. A small pitched roof porch extends to the front of the hall. In 1922 a group of trustees drew up an indenture which stated that

... the building be used "as a Memorial Hall to perpetuate the memory of all the men of Sheepy who served in the Great War 1914 -1918" and ...

"for any parochial or private gathering or entertainments or meetings or for any other object ends or purposes having in view the social or intellectual wants of the Parishioners of Sheepy Magna and Sheepy Parva which the Memorial Trustees or a majority of them may think proper".

- 3.2 The application site is located wholly within the settlement boundary of Sheepy Magna. There are residential dwellings east and west of the site, with open countryside to the north & south. Main Road runs along the southern boundary and front elevation, with residential development, set in a linear pattern on the northern side of the street. The properties along Main Road are mixed in terms of design and size and are mainly detached dwellings on large plots which are set back from the street.

Relevant planning history

None

Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and neighbour letters.
- 5.2. No comments have been received.

Consultation

- 6.1. HBBC Waste Management: No objections.
- 6.2. HBBC Pollution: No objections.
- 6.3. Sheepy Parish Council: No objections.

Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Delivering Renewable Energy and Low Carbon Development
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design

7.3 Sheepy Parish Neighbourhood Plan

- S4: Renewable Energy
- S8: Design
- S14: Community Services and Facilities

7.4 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.5 Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Assessment against strategic planning policies

- 8.2. The NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The development plan in this instance consists of the Core Strategy (2009), the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016) and Sheepy Neighbourhood Plan.
- 8.4. Of particular relevance is policy DM2 of the SADMP which outlines the Borough Council's commitment to reducing its environment impact, including through the support of appropriately designed and sited renewable energy. Policy DM2 states that planning applications for the development of renewable energy at domestic, community and commercial scales will be supported where all reasonable steps have been taken to avoid or mitigate adverse impacts including, but not limited to, landscape, noise, visual and cumulative impacts and the proposed development accords with other policies of the plan.
- 8.5. Whilst Policy S4 of the Sheepy Neighbourhood Plan relates to renewable energy, it is silent regarding non-ground mounted solar photovoltaics.
- 8.6. In principle the provision of renewable energy is supported, assessment of the other matters is carried out below.

Design and impact upon the character of the area

- 8.7. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.8. Policy S8 of the Sheepy Neighbourhood Plan requests development proposal to:
- Respond positively to the character of the area in which it is located as set out in the Design Code in Appendix 5. Innovative design that is appropriate to the prevailing character of the area is encouraged.
 - Demonstrably respond to the features of its setting.
 - Work with the scale, form and character of the location and make a positive contribution to the street-scene.
 - Protect important local features such as traditional walls, hedgerows and trees.
 - Be future proofed with low carbon heating and high levels of energy efficiency.

- Show appropriate regard for the amenities of neighbouring properties including daylight/sunlight, privacy, air quality, noise and light pollution; and
- Provide a safe and suitable access with appropriate on-site parking provision.

8.9. The proposed roof solar panels are located on the western and eastern elevation of the existing buildings roof and although partially visible from the western side the proposed panels are of a black colour which would blend well with the existing roof tiles. It is considered the proposed would not have significant detrimental impacts upon the character of the area with regard to scale, design and materials.

8.10. The proposed solar panels would not be out of character with the existing building or similar proposals in the wider area in terms of its scale, design and visual appearance. Therefore it is considered that the proposal is in accordance with Policy DM10 and DM2 of the SADMP & Policy S8 of the Neighbourhood Plan.

Impact upon neighbouring residential amenity

8.11. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.

8.12. The development site is on the northern side of Main Road with 3 detached dwellings directly to the west. There is another dwelling to the east but this dwelling is approx. 40m from the site with a garden area separating it from the Memorial Hall. The addition of the solar panels is not expected to cause any impacts upon the adjoining buildings in terms of overshadowing, overlooking, overbearing impacts or loss of light, nor in terms of noise or glare. As such it is considered that the proposals are in accordance with Policy DM10 and DM2 of the SADMP.

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 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).

Conclusion

- 10.1. The proposal seeks to install solar panels on the existing building. The proposal is considered acceptable due to the limited impacts upon the character of the area and the amenity of adjacent buildings and provision of renewable energy within the Borough.
- 10.2. It is considered that the proposed development would be in accordance with Policies DM1, DM2, DM7, and DM10 of the adopted SADMP, Policy S8 of the Sheepy Parish Neighbourhood Plan together with the overarching principles of the NPPF.

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

Unnumbered 'Elevation and Solar Panel' Drg received on 03 January 2024
Unnumbered 'Roof solar plan' submitted on 21 December 2023
Design & Access Statement submitted on 13 November 2023
Site Location Plan submitted on 13 November 2023
Site Plan submitted on 13 November 2023
Roof Layout Plan submitted on 13 November 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**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.