

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02120/FPH	Installation of solar panels to existing garage side roofslopes	South Barn Brownings Lane Breachwood Green Hitchin Hertfordshire SG4 8PB

Submitted Plan Nos

SBG 03 Location Plan Location Plan 2 SBG -01 SBG 02

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places
HE1	Designated heritage assets
SP1	Sustainable development in North Herts
SECN16	Conserve + enhance historic environment
T2	Parking

2.0 **Relevant Site History**

- 2.1. 22/03248/FPH & 22/03249/LBC - Single storey rear extension and internal alterations
Conditional Permission / Consent.
- 2.2 18/02365/LBC - Insertion of additional windows on the South and West elevations and internal alterations
Conditional Consent.
- 2.3 18/02286/LBC - Insertion of additional windows on the South and West elevations and internal alterations. Erection of detached outbuilding.

Withdrawn.

- 2.4 18/02285/FPH - Erection of detached outbuilding.

Conditional Permission.

- 2.5 15/00051/1HH & 15/00107/1LB - Single storey rear extension (south elevation). Detached outbuilding.

Withdrawn.

- 2.6 07/02067/1LB - Installation of a satellite dish to rear elevation.

Conditional Consent.

- 2.7 00/00039/1LB - Internal and external alterations to facilitate conversion of barn to single dwelling. Demolition of single storey extension and erection of double garage (as a variation of Listed Building Consent ref: 96/1500/1LB granted 7/2/97) (as amended by drawing no 99/90/3B received 2.3.00)

Granted.

3.0 **Representations**

- 3.1 **Neighbour Notifications** – None received.

- 3.2 **NHC Conservation Officer** – Objection.

*It is, however, acknowledged that there is an opportunity here for South Barn to address, albeit in a small way, the climate emergency. By supporting this scheme, North Herts Council would effectively be endorsing its own Climate Change Strategy 2021-2026 by encouraging behaviour change and in this case, the applicant making more sustainable choices. Solar PV is not objected to per se and so I am supportive of some renewable energy measures here. However, not all solar PV schemes are considered acceptable and each case is looked at on its own merits. In my opinion, the panels on the west facing slope would result in a discordant addition to the west roof slope of South Barn's garage affecting the setting of South Barn and the grouping (including North Barn) as a whole. I conclude that the proposal will, on balance, fail to satisfy Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031, therefore is **OBJECTIONABLE**.*

- 3.3 **Kings Walden Parish Council** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 South Barn is one of two barns which have been converted into residential usage under application ref 00/00039/1LB. Both barns have detached double garages. The barns are located on the south side of Brownings Lane and outside of the settlement boundary of Breachwood

Green which lies to the East. The site is located within the Green Belt. Of the two barns, only the South Barn is a Grade II listed building, the listing entry is:

Barn. Early C18. Timber frame on brick cill, dark weatherboarded with steep red tile roof. A 3-bays barn facing N with central double doors and rear aisle. Unjowled posts, curved braces to arcade plate, straight braces to tie-beams. Clapsed-purlin roof, one purlin each side, inclined queen posts widening to top. Mid-height rail in walls.

4.2 **Proposal**

4.2.1 Installation of solar panels to existing garage side roof slopes

4.2.2 The proposed materials are: 16 Eurenex Nexa 500W TOPCon Mono Panel Black solar panels

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The impact of the development upon the Grade II listing.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the locality.
- The impact that the proposed development would have on the living conditions of neighbouring occupiers.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the development would have on the environment.

Design, Appearance and Impact on Designated Heritage Assets:

4.3.2 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings, and places (Section 12 – Achieving well-designed places). Paragraph 126 of the NPPF states that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities”. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.

4.3.3 Paragraph 129 sets out that in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

4.3.4 Paragraph 212 of the NPPF states “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 (and the more important the asset, the greater the weight should be).”

- 4.3.5 Paragraph 213 of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
- 4.3.6 Paragraph 215 of the NPPF states “where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing optimum viable use”.
- 4.3.7 Policy HE1 of the NHC Local Plan supports development that “Enables the heritage asset to be used in a manner that secures its conservation and preserves its significance; b) Incorporate a palette of materials that make a positive contribution to the local character or distinctiveness, where it is appropriate and justified; and c) Will lead to less than substantial harm to the significance of the designated asset, and this harm is outweighed by the public benefits of the development, including securing the asset’s optimum viable use.”
- 4.3.8 The proposal seeks to erect 8 solar panels on each roof slope of the gabled garage. The solar panels would be slightly inset from the ridge, eaves and sides of the roof but would encompass almost the entirety of the available roof slope.
- 4.3.9 The applicant has provided supporting evidence in an email dated 15/01/2025 which states that the dwelling uses on average 10264Kwh per annum due to reliance on heat pumps, the proposed panels are projected to generate 6052 Kwh per annum with between 874 Kwh – 1044 Kwh to be exported to the grid for the local community. The solar panels would therefore provide approximately 48% of the dwellings energy need.
- 4.3.10 The Conservation Officer has offered negotiation with the applicant to reduce the scheme to only the east roof slope panels which would still equate to almost 26% of the dwelling’s electricity usage, however the applicant has declined to engage. The east roof slope panels face towards the rear of the site and are therefore out of view from the public realm.
- 4.3.11 I agree with the Conservation Officer’s comments and recommendation. I consider that the proposed solar panels would dominate the roof slope of the garage outbuilding and have not been designed in a way which would minimise their impact upon the setting of the listed building. The proposed solar panels would exceed the dwelling’s optimum viable use. The panels on the west facing slope would result in a discordant addition to the west roof slope of South Barn’s garage affecting the setting of South Barn and the grouping (including North Barn) as a whole. I conclude that the proposal will, on balance, fail to satisfy Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031.
- 4.3.12 It is acknowledged that the neighbouring barn, known as North Barn, has solar panels on the east roof slopes of garage and southern roof slopes of the barn itself which faces towards the application site. However, North Barn is not a Listed Building and therefore benefits from permitted development rights for solar panels. I therefore give little weight to this precedent and do not consider that it outweighs the harm to the designated heritage asset.

Impact on Neighbouring Occupiers:

- 4.3.13 The objectives of the NPPF seek to ensure that developments secure a high standard of amenity for existing and future occupiers (Section 12 – Achieving well-designed places). This principle is reflected in the provisions set out in Policy D2 and D3 of the North Herts Local Plan.
- 4.3.14 Policy D3 of the North Hertfordshire Local Plan sets out that planning permission will be granted for developments proposals which do not cause unacceptable harm to living conditions.
- 4.3.15 The proposal would not result in any adverse harm upon the reasonable living conditions and well-being of this neighbour. The proposal is therefore considered compliant with Policy D3 of the Local Plan.

Highways and Parking:

- 4.3.16 The proposal would not affect the current parking provision and therefore complies with Policy T2 of the Local Plan.

Environmental Implications:

- 4.3.17 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Hertfordshire Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.18 The proposal would provide renewable energy generation in the form of 16 solar panels and would export a fraction of the generation to the local energy grid. It is therefore considered that the proposal would have some minor public benefit and would be generally in compliance with Section 14 of the NPPF and Policy D1.

Biodiversity Net Gain (BNG)

- 4.3.9 This is a householder application which is exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4.4 Conclusion

- 4.4.1 Although the scheme would provide significant renewable energy generation for the dwelling and some minor public benefit. The proposed west panels would not respond positively to the site's local context and would be considered a discordant addition which would harm the setting and significant of the Grade II Listed Building and the group as a whole. The harm is considered to amount to less than substantial harm and would not be outweighed by any public benefit of

the scheme. The proposal would fail to satisfy the provisions of Sections 16 and 72 of the Planning (LB & CA) Act 1990 and will not accord with Section 12 and 16 of the Framework and Policy D1, D2 and HE1 of the North Hertfordshire Local Plan 2011 - 2031

4.4. **Alternative Options**

4.5.1. N/A

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reason:

1. Although the scheme would provide significant renewable energy generation for the dwelling and some minor public benefit. The proposed west panels would not respond positively to the site's local context and would be considered a discordant addition which would harm the setting and significant of the Grade II Listed Building and the group as a whole. The harm is considered to amount to less than substantial harm and would not be outweighed by any public benefit of the scheme. The proposal would fail to satisfy the provisions of Sections 16 and 72 of the Planning (LB & CA) Act 1990 and will not accord with Section 12 and 16 of the Framework and Policy D1, D2 and HE1 of the North Hertfordshire Local Plan 2011 - 2031

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 11 March 2025	