

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01193/FP	Installation of ground mounted solar panels in rear garden	Red Lion The Green Preston Hitchin Hertfordshire SG4 7UD

Submitted Plan Nos

RLSP.02 B

SECN16	Conserve + enhance historic environment
SP2	Settlement Hierarchy and Spatial Distrib
D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

2.1 Various applications, none relevant to this application.

3.0 **Representations**

3.1 **Neighbour Consultation** – None received.

3.2 **Parish Council** – Support.

3.3 **Conservation Officer** – No Objection following receipt of Heritage Statement:

"In light of the submission of the Heritage Statement there are no objections to the proposed ground level solar panels in the rear grounds of the public house.

The location is some distance from the listed building. Due to this location and scale (low level) it is not considered to cause harm to the setting, nor the significance of the listed building and is reversible if required.

The impact on the Preston conservation area will be equally minimal for the same reason.

Therefore, there are no objections to the proposal and the level of harm is considered to be less than substantial at the lower end of that spectrum."

- 3.4 **Ecology** – Proposal is unlikely to cause significant ecological impacts. Development is subject to mandatory BNG. SSM submitted but is not considered by the Ecology Team.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises the rear portion of the gardens serving the Red Lion public House, off The Green, Preston. The site is brushed over by the Preston Conservation Area, and is set within the curtilage of a Grade II Listed Building, with its listing entry reading as follows:

2 houses, now a public house, circa 1700, recorded as sold 1710, E part mid C18, one property after 1793. Red brick darker with random blue headers in Flemish-bond and light red dressings and gauged arches to older part. Steep old red tile roof half-hipped at E end. Slate roof to C18 added rear lean-to. A 2-cells, 2-storeys, cellar and attics house facing N with later separate one cell E house. Original house has symmetrical N front with chamfered plinth, plat-band and wooden modillioned eaves cornice. Moulded brick corbels to ends of cornice. 3 windows long with central entrance. Recessed sash windows with 6/6 panes and flat gauged arches. 4-panels flush beaded door in heavy frame with small rectangular fanlight, 2 steps, and flat hood. E part has plat-band, one 1st floor recessed sash window with flat arch. Half-glazed 4-panels flush-beaded door under cambered arch with canted bay window with casements to LH. Rear corner fireplace and SW chimney added to W room: external rear wall fireplace and chimney to E house. Difficult to determine original method of heating older house, probably a large internal central chimney with stair to rear, removed entirely and new stair put in later. Recorded as divided into 3 cottages in 1811. First recorded as selling beer in Piggotts Directory of 1832. Called The Lion by 1844 and subsequently The Red Lion. Sold at auction 1847 when described as having 2 sitting rooms, shop, tap room, kitchen, cellarge, and 5 bedrooms. (Inf Mrs. Nina Freebody).

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for the erection of a ground mounted solar array comprising 4x rows of 5 No. panels.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

4.3.2 The site is within the settlement boundary of Preston, a Category A village. Policy SP2 advises that 'general development' will be permitted where they are sited within the defined settlement boundary of Category A Villages. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2.

Impacts to Listed Building and Conservation Area:

4.3.3 The application site is a Grade II listed building, which is a designated heritage asset. The proposal therefore needs to be assessed as to whether it would harm its setting and significance. This is set out in Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.3.4 The Council Conservation Officer has not objected to the proposed development. Their comments touch on the siting of the array, to the rear grounds area of the public house, and the obscure nature in relation to the public realm and the surrounding Conservation Area. Their conclusion is that less than substantial harm, on the lower end of the spectrum would arise. This representation is given significant weight. I consider that the points raised in relation to the siting of the array and its obscure nature is sufficient to not warrant an objection to the development in the setting of this listed building and the surrounding conservation area.

4.3.5 The proposed development would therefore comply with the provisions of Policy HE1 and Section 16 of the NPPF.

Design and Appearance:

4.3.6 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

4.3.7 The proposed solar array would be in a rear portion of the public house site, behind hedging adjacent to the parking area, and to the rear of the primary beer garden. During

my site visit, conducted on sunny day with many patrons to the public house, it was noted that no patrons were present to this part of the site, and the location behind hedging and in a relatively obscure part of the site without seating or a clear use results in the solar array being away from primary public vantage points in relation to the public house and the surrounding area. Plans indicate that the panel units would comprise a height of approximately 0.75m and would be in a set of four rows, with a wildflower meadow to its immediate surround. I do not consider that the siting and appearance of the array would be detrimental to local character of the appearance to this part of the site and part of Preston.

- 4.3.8 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.9 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.10 The units would be of a modest height, and would be isolated from neighbouring dwellings. They would not overbear these neighbouring occupiers, and would face away from the neighbouring properties. I do not consider that they would overshadow or dominate these neighbouring occupiers.
- 4.3.11 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Environmental Implications:

- 4.3.11 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Ecology:

- 4.3.12 The application is subject to nationally required BNG. This would comprise a 10% of delivery, as advised by Hertfordshire Ecology. Therefore, the standard BNG condition is attached to this decision. Ecology have advised that the development is unlikely to significantly affect the existing ecological assets within the site. Therefore, the proposal is considered to be acceptable given its compliance with Policy NE4 of the Local Plan 2011-2031.

4.4 Conclusion and Planning Balance

- 4.4.1 The Conservation Officer has not objected, but has noted that harm, on the lower end of less than substantial would arise to the setting of this Heritage Asset, the Listed Building

and Conservation Area. Given that very low levels of harm would arise, I consider that the potential environmental and operational benefits for this Public House, as a community asset and use would outweigh the prospective harm arising from the introduction of these solar panels.

- 4.4.2 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. Prior to first use of the solar array, hereby permitted, the area designated for wildflower grassland planting shall be seeded.

Reason: To provide local biodiversity benefits, to comply with Policy NE4.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 7 November 2025	