

**Application No:**  
**11/00505/LB**

**Ward: The Astons &  
Heyfords**

**Date Valid:**  
**26.04.2011**

**Applicant:** Mr L Williams, The Mallards, High Street, Souldern, Bicester, OX27 7JJ

**Site Address:** The Mallards, High Street, Souldern, Bicester, OX27 7JJ

**Proposal:** Installation of 12 Solar PV Panels on back pitched roof

## **1. Site Description and Proposal**

### **1.1 Site**

The Mallards is an end of terrace property facing the High Street within the village of Souldern and within the Conservation Area. It was originally built in 1748 as three terraced properties and now is one semi-detached dwelling.

### **1.2 Proposal**

This application seeks the installation of 12 solar PV (photovoltaic) panels to be positioned on the rear (south) elevation. These solar panels use energy from the sun to create electricity to run appliances and lighting for the dwelling. Though not requiring direct sunlight, they are positioned to allow for the most effective use of the suns light and rays.

### **1.5 Relevant Planning History**

Full details of the cases are available to view electronically via our website and a summary is provided below:

Applications 02/00370/F and 02/00371/LB were refused consent for the installation of solar water heating collectors in rear elevation.

## **2. Application Publicity**

2.1 The application has been advertised by site notice and press notice. The final date for comment was 3 June 2011. No third party correspondence has been received.

## **3. Consultations**

3.1 Whilst all the responses to the consultation exercise are detailed on the core file, available electronically via our website, a summary of the submissions received is provided below:

3.2 Somerton Parish Council: **No objection.**

3.3 Conservation Officer: **No objection**, subject to conditions.

## 4. Policy Considerations

National Policy Guidance	PPS5 – Planning for the Historic Environment
South East Plan 2009 Policies	BE6 – Management of the Historic Environment
Adopted Cherwell Local Plan 1996	C18 – Historic Buildings
Non-statutory Cherwell Local Plan	EN39 – Conservation Areas & Listed Buildings: General Principles

## 5. Appraisal

- 5.1 This application was submitted together with a planning application (11/00504/F refers) which has been returned having been determined that it benefits from permitted development rights under Part 40 Class A of the Town & Country Planning (General Permitted Development) (Amendment) (England) Order 2008.
- 5.2 The key issue for this listed building application is whether or not there would be any harm caused to the character, appearance or historic fabric of the listed building.
- 5.3 It is noted that the panels will cover an expanse of 20m<sup>2</sup> but this is considered to be the minimum required to produce an efficient and effective source of energy. The panels also protrude by a total of 156mm but this is well within the standard 200mm. The panels are black in colour, the same as the tiles on the roof.
- 5.4 This Council is usually of the opinion that modern micro-renewables should not be applied directly to the fabric of a listed building and this formed part of the reasoning behind the refusal of consent 9 years ago. However, in this instance, that part of the roof affected by these panels is covered in 20<sup>th</sup> century tiles rather than an historic covering so any damage caused by their installation would not be to any notable historic fabric. Further, being on the rear elevation, the affected part of the roof is not visible from the public domain.
- 5.5 The current guidance from central government on this matter has now been recently updated in PPS5, published last year. The advice is that where there is a potential conflict between climate change objectives and the conservation of heritage assets, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of the heritage asset.
- 5.6 An assessment has been made as to whether or not other energy saving measures or other locations with less impact on the historic fabric and the special interest have been considered. The property has been surveyed and all suitable locations addressed to accommodate the solar panels and given the site's constraints including trees and other shading elements, the position chosen is considered to be the best possible solution when balancing the visual impact and efficiency needs. Also, there would be no need for any ground disturbance.

- 5.7 The view is held that the setting and fabric of the property would not be put at risk by this development and the panels can be removed at a later date to restore the appearance of the listed building.
- 5.8 This application is presented to Members of this Committee because the applicant is related to a Council employee.

## **6. Recommendation**

**Approval**, subject to the following conditions:

1. SC1.5
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: site location plan, Drg Nos. ML001.03.11 Drg 1 of 2 and 2 of 2 dated March 2011 and Structural Layout & Mounting details dated April 2011.  
Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government Policy contained in PPS5.
3. That, when no longer needed, the solar PV panels shall be removed as soon as reasonably practicable.  
Reason: In the interests of conserving and enhancing the special character of the existing historic building and to comply with Government advice in PPS5: Planning for the Historic Environment, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.
4. That full details of the connections between the panels and the house (showing how and where the cables enter the property) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, the development shall be carried out in accordance with the approved details.  
Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Government advice in PPS5: Planning for the Historic Environment, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan.

### **SUMMARY OF REASONS FOR THE GRANT OF LISTED BUILDING CONSENT AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its merits as the proposals do not unduly impact on the special interest, character or appearance of the identified heritage asset of the listed building and its setting. As such the proposal is in accordance with government guidance contained within PPS5: Planning for the Historic Environment, Policy BE6 of the South East Plan 2009 and Policy C18 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and listed building consent granted subject to appropriate conditions, as set out above.

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