

Parish: Kirklington-cum-Upsland

Ward: Tanfield

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Committee Date : 01 July 2021

Officer dealing : Mr Nathan Puckering

Target Date: 25 June 2021

Date of extension of time (if agreed):

21/00898/FUL

Installation of solar panels to South west facing garage roof.

At: The Rosary Whinwath Lane Kirklington North Yorkshire

For: Mr Carl Les.

The application is brought to the Planning Committee as the applicant is a Member of the Council

1.0 Site, context and proposal

- 1.1 The site in this instance is a large detached dwelling located on the northern edge of Kirklington, within the Kirklington Conservation Area. To the front of said dwelling is a driveway with a detached garage building in situ on the left-hand side as one enters the driveway. It is specifically this building which this application relates to as permission is sought for the installation of solar panels on the rear roof elevation of this building.
- 1.2 Initially the application also included the installation of new railings to the front of the dwelling but these were omitted from the proposal and the description altered.

2.0 Relevant planning and enforcement history

- 2.1 16/00534/FUL - Construction of a domestic open fronted double garage - Permitted

3.0 Relevant planning policies

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Core Strategy Policy CP1 - Sustainable development

Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets

Core Strategy Policy CP17 - Promoting high quality design

Development Policies DP28 - Conservation

Development Policies DP32 - General design

Hambleton Emerging Local Plan

The Hambleton Local Plan was considered at Examination in Public during October-November 2020. Further details are available at

<https://www.hambleton.gov.uk/localplan/site/index.php>. The Local Planning

Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.

4.0 Consultations

- 4.1 Parish Council - no comments received
- 4.2 Site Notice & Neighbour Notification - no comments received

5.0 Analysis

- 5.1 The main issue for consideration in this case is the impact of the installation of the solar panels on the significance of the Kirklington Conservation Area.
- 5.2 Both the NPPF and the Local Development Framework are broadly supportive of renewable energy schemes. Policy CP18 of the LDF states that "development...must seek to ensure that impact on natural resources is minimised and the potential use of renewable resources maximised. Proposals must take all potential opportunities to: i. minimise energy demand, improve energy efficiency and promote renewable energy technologies". Whilst this proposal will have only a limited benefit in this respect due to its small scale, it will still be helping to achieve the aim of this policy and as such the proposal is acceptable in principle.
- 5.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework at paras 195 and 196 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset. Also relevant is policy DP28 which states that the protection of the Districts heritage will be assured by the allocation and protection of Conservation Areas.
- 5.4 The majority of the Kirklington Conservation Area comprises the historic core of the village. This is centred around the village green which is a large public open space in the centre that is complimented by large mature trees and other landscaping. There are historic dwellings which line this public space that range from terraced cottages to the east and south and larger detached dwelling to the north - of which the site is one. The vast majority of the village is contained within the conservation area and this is testament to the fact that the tranquil small traditional village feel has been retained and successfully protected.
- 5.5 Solar panels on buildings are generally inherently modern interventions which can harm the historic nature of small villages such as this but in this case the proposed siting of the units on a partially screened ancillary building is considered to be generally acceptable. Whilst the building in question is located in a fairly prominent location on the edge of the highway which runs along the northern edge of the aforementioned village green, it is somewhat screened by the adjacent landscaping which lines the front of the neighbouring Mill Beck. As a result, the overall visual impact of the solar panels will be relatively low and consequently is not considered to result in harm to the overall significance of the Kirklington Conservation Area.

Planning balance

- 5.6 On the whole, the proposal is in line with the requirements of the NPPF for development impacting heritage assets, as well as policy DP28 of the LDF. Approval is recommended on that basis.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on 01.04.2021, 30.04.2021 and 05.05.2021 unless otherwise agreed in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) CP17, DP28 and DP32.