

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2277/OL1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT FOR THE INSTALLATION OF SOLAR PANELS ON REAR ROOF OF DWELLING AND ON ROOF OF DETACHED BARN AND ASSOCIATED BATTERY STORAGE AND CABLING
3.	<b>Location:</b>	FAIRLADIES, 102 MAIN STREET, ST BEES
4.	<b>Parish:</b>	St. Bees
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to Fairladies, a large residential property which fronts onto Main Street within the centre of St Bees. The property benefits from an attached barn and a number of outbuildings located within the rear yard.</p> <p>The property is location within the St Bees Conservation Area and is Grade II Listed.</p> <p>The Listing entry for the property states the following:</p> <p>NX 91 SE ST BEES MAIN STREET (West side) St Bees 12/87 No 102, (Fairladies Farmhouse) &amp; adjoining barn G. V. II Cottage and house, now single dwelling, with adjoining barn; datable to late C18 by coat of arms, but may have earlier core. Later additions and</p>	

alterations. Arms, carved in relief on panel in frame (over position of former door to original house), of James Spedding and wife Elizabeth Harrington (married 1779). House pebble-dashed rubble; barn coursed, squared rubble with quoins and eaves moulding. Graduated slate roofs; house has rendered mid and end chimneys, barn has stone copings and kneelers to south end. 2-storey house, 6 bays overall. Part-glazed door (originally to cottage) under gabled porch has 16-pane sash to either side. Narrow C19 window with hoodmould and label replaced door to original house; late C18 window architrave to right. 4 sashes with glazing bars above; lower bay added to north end has single 16-pane sash to each floor. Lower barn adjoining south end has added porch to wagon door; hay loft door up steps on left.

Listing NGR: NX9710011536

### **Relevant Planning History**

No relevant planning history.

### **Proposal**

This application seeks Listed Building Consent for the installation of solar panels on the rear roof of the dwelling. These panels will include two sets of nine panels measuring a total area of 3.446m x 5.326m each.

The application also seeks to install solar panels on the roof of the detached barn. These panels will include three groups of 4 panels, 8 panels, and two panels.

The proposed panels will be an in-roof system, with the proposal seeking to replace the existing roof slates on a like-for-like basis and reusing existing slates where possible. Existing cable runs will be utilised, with one inverter mounted in the detached barn and the other in the loft of the house. The required battery storage will be located within the ground floor hobby room, or in the adjoining store if there isn't space.

The proposed panels are required to improve the energy efficiency of the dwelling.

This application is being considered alongside a Householder Planning application for the same works (ref: 4/24/2278/0F1).

### **Consultation Responses**

#### **St Bees Parish Council**

No objections.



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### Cumberland Council – Conservation Officer

*12<sup>th</sup> September 2024*

Conclusion: No objection (condition suggested; see final point)

#### Assessment:

- ☐ Slate roofs need renewing/refreshing from time to time. Judging from the internal roof space photos, the house roof has been felted underneath, suggesting it was last replaced at some point in the later part of the 20<sup>th</sup> century.
- ☐ There will inevitably be some loss of slates due to the area taken up by solar panels, this being an in-roof system. The use of an in-roof system appears justified by the improved appearance and avoidance of the problem of maintaining the underside when compared with an on-roof system.
- ☐ There will be some harm through changing the appearance of the building and its barn. I would view this as less-than-substantial harm to the appearance of the building, and to its setting in the sense of the view from the house over the barn. I'd view this as being of a low level. The proposal consists of negligible impact on the character and appearance of the conservation area.
- ☐ This harm is justified by the improvement to the building's offsite energy demand, and mitigated by the fact that the change will only be visible from a small area, mostly concealed from public view. Additionally, existing cables run routes will be used for new cabling.
- ☐ I note mention of a battery pack, although am not able to find details of where this will be installed among the application docs. I therefore suggest the use of a condition could provide for details to be submitted and approved prior to the installation of said pack.

*19<sup>th</sup> September 2024*

Conclusion: No objection

#### Assessment:

- ☐ Following my previous response, in which I requested information about the intended location of the battery pack, info has been provided with specifications and a proposed location.
- ☐ This is to be the ground floor hobby room, or in the adjoining store if there isn't space.
- ☐ While there will inevitably be some heritage impact from mounting a battery pack within the home, I'd view the likely impact from this proposal as negligible on the significance of the building, while being an important aspect of the performance of the

system, and therefore justified.

#### Public Representation

This application has been advertised by way of a site notice and press notice. No comments have been received in relation to the statutory notification procedure.

#### **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

#### **Development Plan**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

#### **Copeland Local Plan 2013 – 2028 (Adopted December 2013)**

##### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Strategic Development Principles

Policy ENV4 – Heritage Assets

##### Development Management Policies (DMP)

Policy DM27 – Built Heritage and Archaeology

##### Emerging Copeland Local Plan 2021 – 2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the



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discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28<sup>th</sup> March 2024.

The Planning Inspectors Final Report was received on 23<sup>rd</sup> September 2024. It is intended that the Local Plan will be adopted at the Full Council meeting on 5<sup>th</sup> November 2024.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the advanced stage of preparation of the ELP full weight can be attached to the policies.

The following policies are relevant to this application:-

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Policy BE3PU: Archaeology

Policy BE4PU: Non- Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (2023)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

### **Assessment**

The main issues raised by this application relate to the impact on heritage assets.

#### Impact on Heritage Assets

Policy ST1, ENV4, DM27 of the Copeland Local Plan and Policy BE1PU and BE2PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need “in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest” [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 197 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202).

As part of their original consultation response to this application, the Council’s Conservation Officer offered no objections to the development, and confirmed that the less-than-substantial harm to the appearance of the building is justified by the improvements to the building’s offsite energy demand, and mitigated by the fact that the change will only be visible from a small area, mostly concealed from public view. The Officer did, however, request additional information relating to the proposed battery pack. Following the submission of this detail the Officer confirmed no objections to the proposal.

On this basis, the application is considered to preserve the Heritage Asset, therefore the application is considered to comply with Policies ST1, ENV4, DM27 of the Copeland Local Plan, Policy BE1PU and BE2PU of the Emerging Local Plan, and provisions of the NPPF.

#### Planning Balance and Conclusion

The proposed installation of solar panels at this dwelling is considered to preserve the appearance of the Heritage Asset, with any harm justified by the requirement to make the residential dwelling more energy efficient.

No objections have been received by the Council’s Conservation Officer.

On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the



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	Policies set out in the Copeland Local Plan, Emerging Local Plan, and the guidance within the NPPF.
8.	<b>Recommendation:</b> Approve Listed Building Consent (start within 3yr)
9.	<b>Conditions:</b> <ol style="list-style-type: none"><li>1. The works hereby permitted must be commenced before the expiration of three years from the date of this consent.  Reason To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</li><li>2. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:<ul style="list-style-type: none"><li>- Application Form, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Block Plan, Scale 1:500, Plan Reference Number: TQRQM24198094139548, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Annotated Block Plan, Scale 1:500, Plan Reference Number: TQRQM24198094139548, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- House Roof Plan, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Barn Roof Plan, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Design &amp; Access Statement, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Heritage Statement, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li><li>- Photo Montage of House, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.</li></ul></li></ol>

- Photo of Roof Timber 1, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Photo of Roof Timber 2, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Photo of Roof Timber 3, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Photo of Roof Timber 4, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Photo of Roof Timber 5, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Photo of Roof Timber 6, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Example of Solar Panel on Slate Roof, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Solar Panel Specification: Jinko Solar, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- GSE In-Roof System Datasheet, received by the Local Planning Authority on the 15<sup>th</sup> August 2024.
- Proposed Location of Battery Pack, received by the Local Planning Authority on the 16<sup>th</sup> September 2024.
- Technical Details of Battery Pack: Triple Power, received by the Local Planning Authority on the 16<sup>th</sup> September 2024.

#### Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

#### **Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.





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Council**

<b>Case Officer:</b> C. Burns	<b>Date :</b> 08/10/2024
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 09/10/2024
<b>Dedicated responses to:-</b> N/A	