



The PV array would not respect the existing character of the building and would result in detrimental visual impact in the Conservation Area as well as on the setting of nearby listed buildings by reason of its dominance on a prominent roof plane. The harm arising from the proposed installation of a PV array to the principal south west facing elevation of the Village Hall, while less than substantial, is not outweighed by the public benefits from installing this renewable energy source on the building. The proposed development is therefore considered to be contrary to the requirements of the NPPF in respect of not conserving and enhancing the historic environment, Shropshire Core Strategy Policies CS6 & CS17, and SAMDev Policies MD2 and MD13.

## REPORT

<b>1.0</b>	<b>THE PROPOSAL</b>
<b>1.1</b>	This application seeks permission for the installation of 18 solar panels on the principal south west facing front elevation roof of Condover Village Hall as well as the installation of 2 air sourced heat pump units in an elevated position on an external wall on the north east elevation. The solar panels will provide the electricity for battery storage to power the air source heat pumps.
<b>2.0</b>	<b>SITE LOCATION/DESCRIPTION</b>
<b>2.1</b>	Condover Village Hall has a prominent corner position at the westerly entrance to the settlement where it is sited on the north side of the main highway junction, and where the south-west facing main elevation and roof scape of the building is particularly prominent in views entering the village where it is framed between the Grade II listed timber frame stable and Old Vicarage and, on the opposite side of Station Road, the well-treed parkland setting of Condover Hall (Grade I listed) with its stone boundary running along the highway, as well as the Grade II listed The Old Bakery adjacent to the east. From the Condover Bridge and Cound Brook the Condover Conservation Area covers the main historic core of the settlement including the application site.
<b>3.0</b>	<b>REASON FOR COMMITTEE DETERMINATION OF APPLICATION</b>
<b>3.1</b>	The Parish Council has offered comments in support of the application. As their view is contrary to the officer recommendation, and given the balance of material considerations relevant to this case, the principal officer in consultation with the committee chairman and local member consider that the application should be determined by Committee.
<b>4.0</b>	<b>COMMUNITY REPRESENTATIONS</b>
<b>4.1</b>	<b>Consultee Response</b>
<b>4.1.1</b>	<b>SC Public Protection</b> consultees raised some concerns with regard to the potential for noise disturbance from air source heat pumps initially and indicated that further information and some form of shielding of the pumps might be

	<p>required. The applicant provided further information with regard to the noise produced by the pumps and the potential for increased noise with added shielding and consultees were satisfied that existing intervening buildings would provide sufficient attenuation for the low levels of noise expected.</p>
<b>4.1.2</b>	<p><b>SC Archaeology</b> were consulted but had no comments to make in regard to this application.</p>
<b>4.1.3</b>	<p><b>SC Conservation</b> consultees provided comments as follows.</p>
<b>4.1.3.1</b>	<p>The Village Hall while not listed in its own right is considered to represent a non-designated heritage asset where it forms part of a longer building group terminated at the south-easterly end by the more modest timber frame and painted brick former butcher shop which is Grade II listed. The Hall is comprised of a mix of materials and styles where the Victoria County History series suggests there has been a continuous history of an inn at this corner until the mid to later 19th Century (The Condover Arms) where a datestone on the main brick elevation - EWSO 1853 – also suggests Estate construction to alter the building by EWS Owen (of Condover Hall) with the addition of a magistrate’s room in stone. An entry in the Discovering Shropshire’s History website cites a November 1927 application by architect V G Santo for alterations to the Condover Village Hall so it has been in this use at least from that date.</p> <p>The Village Hall while being a particularly prominent building within this part of the Conservation Area is also sited within close proximity to a number of listed buildings where there is both inter-visibility and co-visibility amongst the group of heritage assets at this junction. Additionally opposite the site is the northerly extent of the Registered Historic Park and Garden associated with Condover Hall.</p> <p>The Council’s Condover Conservation Area Appraisal document reinforces the importance of this location where on the Principal Features of Interest map the Village Hall is identified as a focal point and the corner junction highlighted as affording significant views, and where additionally the document describes the Hall as a key unlisted building which contributes significantly to the character and appearance of the Conservation Area and further highlights the importance of avoiding the introduction of modern materials which may undermine the impact of such key unlisted buildings.</p> <p>Our main concern relevant to the historic environment and heritage issues is with the proposed solar panel array in terms of potential setting issues related to listed buildings nearby (both individually and as a group) and whether the solar panel array would preserve or enhance the character or appearance of the Conservation Area. The visual impact on the Village Hall building itself as a key non-designated heritage asset is also relevant.</p> <p>As noted in HE’s guidance the location of solar panel arrays and managing their visual impact is an important consideration and it is generally not considered sympathetic to a building’s appearance to have solar panels fixed to its main elevation especially where this elevation is most commonly and publicly viewed, and in the case of the Village Hall, where the building is so prominently positioned and sited along with designated heritage assets where there is relatively high inter and co-visibility within the building group.</p>

	<p>As a wider Team while supportive of efforts to repair and invest in the long term use of the building as the Village Hall, it is felt that there is a potential measurable level of harm associated with the installation of solar panels on this prominent roof slope where alternative siting would be supported – the rear and side roof slopes, placing equipment on adjacent lower buildings – where impact on setting and impact on the street scene within the Conservation Area could be mitigated.</p> <p>Solar panel arrays can appear as an incongruous and discordant element with their uniform modern mechanical finish where they can contrast with and sit at odds within a historic setting characterised by historic buildings. Higher quality slim profile fully matte black unframed solar panel arrays have been developed which aim to mitigate visual impact but it is not clear with the current application whether this type of product would eventually be installed, and even so, these higher quality products can still appear as a discordant addition to a historic roofscape. While their reversibility is also acknowledged, photovoltaics do end up being an installation of some permanence.</p> <p>Confirmation of the precise specification or type of product being installed here may address some of the concerns raised on visual impact and setting issues however with the current proposal it is suggested that other siting options should be fully considered and appraised where this particular renewable energy source in the position and extent proposed may result in a level of visual harm at this key focal point within the Conservation Area.</p>
<b>4.2</b>	<b>Public Response</b>
<b>4.2.1</b>	Condover Parish Council has made comments in support of the application. Legal ownership of the Hall lies with Condover Parish Council as Custodian Trustees of the charity “Condover Village Hall” (information supplied by applicant).
<b>4.2.2</b>	A site notice has been displayed as required, an advertisement placed in “The Shropshire Star”, and 6 neighbouring properties have been individually notified as regards the application. No responses have been received as a result of this publicity.
<b>5.0</b>	<b>THE MAIN ISSUES</b>
<b>5.1</b>	<b>Principle of development</b> <b>Design, Scale and Character</b> <b>Impact on Residential Amenity</b> <b>Fire Safety</b> <b>Ecology</b>
<b>6.0</b>	<b>OFFICER APPRAISAL</b>
<b>6.1</b>	<b>Principle of development</b>
<b>6.1.1</b>	The proposed works do not fall within permitted development. While there is a general permitted development right to the installation of solar PV equipment on the roof of a non-domestic building this right does not apply where that

equipment would be installed on a roof slope which fronts a highway in a Conservation Area.

Para 154 of **the NPPF** indicates that when determining planning applications for renewable and low carbon development local planning authorities should approve the application if its impacts are or can be made acceptable.

At Para 184 the NPPF indicates that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Para 192 requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, as well as the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

Para 193 indicates that 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, irrespective of the level of potential harm. Any harm to or loss of the significance of a designated heritage asset from development within its setting should require clear and convincing justification.

Para 196 indicates that where a development proposal 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.

Para.197 indicates that in weighing applications that directly affect non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Significance is defined as the value of a heritage asset to this and future generations because of its heritage interest and derives not only from its physical presence but also from its setting. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

**Historic England** offer guidance in their document "Energy Efficiency and Historic Buildings" (Solar Electric (Photovoltaics)). They note that "prior to the installation of renewables, steps should be taken to cut energy consumption and improve energy efficiency. The installation of any renewable energy source should be seen as part of a "whole building approach" to improve the energy efficiency of a building to enable the best possible balance to be struck between saving energy and reducing carbon emissions, sustaining heritage significance and maintaining a healthy building. It is important to weigh up the cost of the installation against potential savings in energy use.

Historic England continue to advise that it is generally not considered sympathetic to a building's appearance to have a solar panel or other equipment fixed to its main elevation and that there is always likely to be some damage to the historic fabric of a building created through a PV installation.

Wherever a PV installation can be supported they advise that the supporting frame should have a black finish to be the least visually obtrusive with cut ends considered as well. The colour of the PV panels, reflectance and finish should be chosen to complement the colour of the existing roof covering. Consideration needs to be given to the cabling which link the panels to the inverters, isolators batteries, distribution system, and air source heat pumps which will be needed and the best way to put these through the roof with minimal damage.

The **CPRE** considered the installation of solar PV more broadly across all buildings and have suggested that place-responsive design is required. Solar PV must be in harmony with the building onto which it is installed, as well as maintaining or enhancing the character of the wider area.

Shropshire Council has a published “**Shropshire Historic Community**” **Climate Change Guidance Document**, which appears to be perhaps 7-8 years old which also suggests that as a general principle locating equipment on principal elevations should normally be avoided, and that proposed works should not result in loss of special or historical interest to the building or the overall character of the conservation area, including visual impacts. There should be no damage to historic fabric, installation should be reversible without significant long-term impact, cabling should be accommodated without loss or damage to the fabric, the applicant should be able to demonstrate that other energy-saving measures have been considered. It must be demonstrated that the objectives of designation of the area will not be compromised by the development and that any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.

#### **Conclusion as to principle of development**

The NPPF clearly supports renewable energy but also requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets.

Consideration is required as to the impact of the proposed installation of solar panels and air source heat pumps on the significance of: the Conservation Area ( a designated heritage asset), the setting of nearby listed buildings (also designated heritage assets), and the Village Hall building itself, which is considered a non-designated heritage asset.

Great weight should be given to the conservation of designated heritage assets and their setting irrespective of the level of harm, but if harm is less than substantial, it should be weighed against any public benefits of the proposed works. In general, the addition of solar panels to principal elevations of historic buildings which face roads and are within Conservation Areas and the setting of listed buildings is considered to reduce the significance of the heritage assets and cause less than substantial harm. As consultees have noted (4.1.3.1 above) the Condover Conservation Area Appraisal document identifies the Hall as a key unlisted building which contributes significantly to the character and appearance of the Conservation Area and further highlights the importance of avoiding the introduction of modern materials which may undermine the impact of such key unlisted buildings.

The applicant argues that there are public benefits to the proposed works in terms of gains to the environment, gains to the preservation of the non designated asset and gains to the community which the Village Hall serves.

The applicant has indicated that the air source heat pumps will use approximately 25% of the energy used in fossil fuel based heating systems and this will likely be an excellent reduction in the carbon footprint of the building. They seek to provide this energy requirement for the ASHPs with the solar panel installation but it may be that there could be similar environmental gain from the use of a renewable energy supplier. It should be noted that solar panels have a complex manufacture process using chemicals, that toxic by-products and carbon are produced in their manufacture, that they are difficult to recycle and do not biodegrade when they become waste and usually need replacing every 20 years. The environmental gain for solar panels is not clear cut and it may be that there would be greater benefits from a renewable energy supplier.

Similarly, while heating the hall more consistently undoubtedly has the potential to better preserve its fabric, (depending in part upon other measures intended – insulation needs to be of natural materials, for example), officers are not persuaded that the solar panel element is essential to achieve that improved heating, where a renewable energy supplier could also power the air source heat pumps.

However, there may be some economic gains from producing electricity to power the ASHPs. The proposed works may enable more affordable heating of the hall which may be a community benefit if use of the hall is available to all in the community. However, immediate savings will need to be balanced against the necessary costs of replacement of the solar panels in 20 or so years' time, even if the initial cost is covered by grant funding. Again, it may be that using a renewable energy supplier is more cost effective in the long run, although clearly there may be uncertainty as to future costs of such energy supply.

Thus, while there may be some public benefit from the proposed solar panels installation, the greater benefit comes perhaps from the introduction of ASHPs, with alternatives being available to provide the energy for these units which will cause less harm to the significance of the Conservation Area, the setting of nearby listed buildings and the Village Hall building itself.

There are clear benefits and disadvantages to weigh against each other, with best practice in renewable energy evolving over time. Officers consider that the great weight to be given to any harm to the significance of designated heritage assets outweighs the minor benefits of the introduction of solar panels at this particular location, and that in this case the principle of development has not been established. However, should Committee disagree, additional planning matters are considered below.

**6.2 Design, Scale and Character**

**6.2.1** SC Climate Change Strategy is an overarching aim across the work of Shropshire Council and informs all SC decision making. The appropriate provision of renewable energy for existing buildings will support greater sustainability in

Shropshire. However, Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy also requires sustainable development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character.

In addition SAMDev Policy MD2 Sustainable Design builds on Policy CS6, providing additional detail on how sustainable design will be achieved. To respond effectively to local character and distinctiveness, development should not have a detrimental impact on existing amenity value but respond appropriately to the context in which it is set.

Policy CS17 and SAMDev Policy MD13 require that all development protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not affect the visual and heritage value and functions of these assets and their immediate surroundings.

The proposed site is situated within the Condover Conservation Area and therefore special regard has to be given to preserving or enhancing the character or appearance of the Conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Additionally, given the siting of listed buildings nearby, Section 66 of the Act is also relevant where special regard to the preservation of listed buildings and their settings is required. Historic England Guidance on the setting of heritage assets and the installation of renewable energy on historic buildings is also relevant.

SC Conservation Consultees have concerns with regard to the proposed solar panel array in terms of potential setting issues related to listed buildings nearby (both individually and as a group), whether the solar panel array would preserve or enhance the character or appearance of the Conservation Area, and the visual impact on the Village Hall building itself as a key non-designated heritage asset.

The proposed ASHP units will be installed to the rear of the village hall in an elevated but screened position and will have minimal impact on the character of the building or on the surrounding Conservation Area and listed buildings.

However, the proposed solar panels will be sited on a very prominent roofscape of a historic building which makes a positive contribution within the Conservation Area and within the setting of nearby listed buildings and officers do not consider that their introduction will preserve or enhance Shropshire's historic built environment. From the public realm the solar panels will draw the eye and appear as an unsympathetic addition to the property which will detract from the character and appearance of the historic roof and the local area.

Officers have concerns with regard to the level of detail available as to the solar panels proposed to be installed. Plans suggest that 18 x 375W solar panels will be mounted in 2 rows of 9 panels in portrait at an angle of 40 degrees on the south west facing roof. The layout is neat and symmetrical although covering a large area of this front facing roof slope. The PV array will be mounted above the existing ceramic tiles. No details of fixing have been provided but generally roof



	<p>anchors will be fixed to the rafter and support a mounting rail for the PV panel to sit in and clamps used to hold the panels in place. The applicant advises that advice has been received that the roof is likely to be able to support the proposed panels without strengthening work and that a structural survey will be undertaken if planning permission is granted. The replacement of any tiles damaged during works is likely to be feasible if of some cost implication</p> <p>Only exemplar details have been provided as to the proposed panels themselves with little information as to their design and visual appearance apart from example dimensions. There is no indication of backing, cell structure or framing. The applicants have indicated they would prefer white backed panels for greater output but would be prepared to accept black backed panels in line with consultee and general historic England guidance.</p> <p>The applicants are seeking grant funding for the installation of renewable energy and have had to advertise the work for tenders with the choice of tender being agreed between the applicant and the funder. The tender advertisement does not specify the visual quality of solar panels required which creates uncertainty as to the suitability of any panels proposed. While the advertisement seeks experience it does not specify that experience is required with regard to installations on heritage properties.</p> <p>The criteria identified for selection between tenders does not allow for the consideration of visual impact of the panels proposed. It is not clear that the applicants would have the flexibility to meet a condition to provide further details before implementation or requiring implementation of a PV system that is low profile, low visual impact, black framed, with black backing and wireless (no silver thread visible but were the installation to be approved additional certainty over the details of any system proposed would be highly desirable in this sensitive location.</p> <p>On balance, officers consider that the introduction of solar panels to such a prominent roof within the Condover Conservation Area will not preserve or enhance Shropshire’s historic environment and would be contrary to CS6 and 17, as well as MD13. Were Committee to conclude otherwise on the balance of material considerations, further detail would be required to ensure any solar panels installed have the minimum possible impact.</p>
<p><b>6.3</b></p>	<p><b>Impact on Residential Amenity</b></p>
<p><b>6.3.1</b></p>	<p>Policy CS6 ‘Sustainable Design and Development Principles’ of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity.</p> <p>The provision of renewable energy equipment will have minimal impact on any neighbouring properties, other than the potential for increased noise arising.</p> <p>The air source heat pumps proposed will be routinely operational as internal temperature requires during the day from 7am until 10pm and at night when required to deal with frost. While public protection consultees had some initial concerns about noise impacting on nearby residential properties, on provision of</p>

	<p>further information by the applicant, consultees had no further objection and were satisfied that there will be no unacceptable impact.</p> <p>Officers are satisfied that there will be no significant impact on the amenity of neighbouring properties.</p>
<b>6.4</b>	<b>Fire Safety</b>
<b>6.4.1</b>	Fires originating from PV systems are rare as long as there is good system design and installation. We have no evidence that a PV fire risk assessment has been completed but this would fall within building regulations assessment..
<b>6.5</b>	<b>Ecology</b>
<b>6.5.1</b>	There may be disturbance to wildlife. Works may have some potential to disturb roosting bats. Bat surveys should be conducted prior to any works commencing as without further information there is a possibility that a license may be required.
<b>7.0</b>	<b>CONCLUSION</b>
<b>7.1</b>	<p>The proposed installation of two wall mounted ASHPs will have no impact on the character of the existing building, the setting of nearby listed buildings and will not result in detrimental visual impact in the Conservation Area or in detrimental impact on the amenity of neighbouring properties. However the harm arising from the proposed installation of a PV array to the principal south west facing elevation of the Village Hall, while less than substantial, is not outweighed by any balancing public benefits. The PV array would not respect the existing character of the building and would result in detrimental visual impact in the Conservation Area as well as on the setting of nearby listed buildings and it is recommended that this aspect of the proposed works is refused. The proposed development is therefore considered to be contrary to the requirements of the NPPF, s.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, adopted Core Strategy Policies 6 &amp; 17, and SAMDev Policies MD2 and 13.</p> <p>Recommend permission is refused</p>
<b>8.0</b>	<b>RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL</b>
<b>8.1</b>	<b>Risk Management</b>
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> <li>• As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.</li> <li>• The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned</li> </ul>

	<p>with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.</p> <p>Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination of application for which costs can also be awarded.</p>
<b>8.2</b>	<b>Human Rights</b>
	<p>Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.</p> <p>First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>
<b>8.3</b>	<b>Equalities</b>
	<p>The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.</p>
<b>9.0</b>	<b>Financial Implications</b>
	<p>There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.</p>

## 10. Background

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Shropshire Core Strategy and SAMDev Plan Policies:

CS6 – Sustainable Design and Development Principles  
CS8 – Facilities, Services and Infrastructure Provision  
CS17 – Environmental Networks  
MD2 – Sustainable Design  
MD12 – Natural Environment  
MD13 – Historic Environment

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=QO9ZSOTDKLF00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) Councillor Ed Potter
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Local Member
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Cllr Dan Morris
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