

<b>Application Number:</b>	P/LBC/2021/03943
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Symondsbury Primary School, Mill Lane, Symondsbury, DT6 6HD
<b>Proposal:</b>	Installation of roof mounted solar photovoltaic (PV) panels and associated infrastructure.
<b>Applicant name:</b>	Dorset Council – Assets and Property
<b>Case Officer:</b>	Huw Williams
<b>Ward Member(s):</b>	Cllr Dave Bolwell, Bridport Ward Cllr Kelvin Clayton, Bridport Ward Cllr Sarah Williams, Bridport Ward

### 1.0 Reason application is going to committee

The application is made by Dorset Council and relates to land that is part-owned by Dorset Council. The application is reported to Committee in accordance with Dorset Council's Constitution.

### 2.0 Summary of recommendation:

That the Committee would be minded to refuse listed building consent for the reason set out in section 17.0 below and recommends that the Head of Planning determines the application accordingly.

### 3.0 Reason for the recommendation:

The recommendation is made taking account of:

- (i) the nature and details of the application proposal;
- (ii) information submitted in support of the application;
- (iii) the development plan;
- (iv) national planning policy and guidance;
- (v) consultation responses; and
- (vi) other material planning considerations set out in this report.

In considering whether to grant listed building consent for any works a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The application has been publicised affording those consulted and the public adequate opportunity to make representations about the application.

In response to submitted representations, the application has been amended by the withdrawal of proposals for the installation of solar panels on the southward facing

roof plane of the original school building. The proposed works (as amended) would detract the character, appearance and setting of the Grade II listed school resulting in a minor-moderate level of less than substantial harm to the special architectural and historic interest of the Grade II listed school.

The harms associated with the proposed works would not be justified or significantly outweighed by the public benefits associated with the proposed development. Having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, listed building consent should be refused.

#### 4.0 Key planning issues

Issue	Conclusion
Impact on character, appearance and heritage significance	Harm to character, appearance and setting of the school resulting in low-moderate levels of less than substantial harm to heritage significance.
Balance between harm and benefits	The harm to the character, appearance, setting and heritage significance would not be justified or significantly outweighed by the public benefits associated with the proposed development.

#### 5.0 Description of Site

Symondsbury Primary School is located on the southern side of Mill Lane in the heart of the village of Symondsbury, adjacent to the junction of Mill Lane and Shute's Lane and to the junction that between Mill Lane and Duck Street.

The School Site is shown edged red on the submitted Location Plan and extends to approximately 0.31 ha. It is located entirely within the designated Symondsbury Conservation Area and also within the designated Dorset Area of Outstanding Natural Beauty.

The original school building dates from 1868 and is constructed of Lias stone under a plain tile roof. A rear block of the building comprises the former Schoolmasters house. The original building has been extended to both its rear (southern) and western side, the lateral additions being the larger and comprising a 1950s detached building that is now connected to the original school by a joining link building constructed in the 1990s, all constructed with rendered walls and stone detailing. The building as a whole is Grade II listed (NHLE 1287599).

To the south of the school building are the school playing fields, beyond which is the Grade II\* Ilchester Arms public house (NHLE 1216501).

To the west of the School Site in Shute's Lane is a Grade II listed telephone box (NHLE 1271543) and on the opposite side of Shute's Lane, is the Grade II listed Rectory Cottage (NHLE 1216503), a detached residential property, beyond which is open countryside.

To the north of the School Site on the opposite side of Mill Lane is the Grade I listed St. John the Baptist Church (NHLE 1216336) and a number of associated Grade II listed buildings including the churchyard wall, gate piers and gates (NHLE 1216429), the churchyard steps and raised pavement (NHLE 1216430), and the Symondsburly War memorial (NHLE 1427997). Adjacent to the churchyard on its eastern side are the Grade II listed gate piers at the entrance to Symondsburly College (NHLE 1216433) and the adjacent Grade II listed stables and implement shed at Manor Farm, Mill Lane (NHLE 1216293).

To the east of the School Site is a row of terraced residential properties (Manor Cottages), Duck Street and the Grade II listed Symondsburly House beyond (NHLE 1216290).

## **6.0 Description of Development**

Listed building consent is sought for the installation of roof-mounted solar photovoltaic (PV) panels and associated infrastructure.

As originally submitted the application sought permission for the installation of 84 solar panels in 6 arrays. However, further to concerns expressed by Symondsburly Parish Council and following a bat survey, the application was amended by the withdrawal of panels originally proposed in 2 arrays on the southern roof plane of the original school building, leaving 4 arrays providing a total of 44 panels.

The arrays would be installed on 2 flat roof surfaces and 1 sloping plane of the side extension and on the southern roof plane of the extension to the rear of the former Schoolmasters house.

Each panel would be of a monocrystalline (all black), half-cell design with a black frame and white backsheet.

On the pitched roof planes the panels would be mounted to lie flush with the roof profile, would be set back from the roof peaks to avoid increasing the overall height of the building and would be wholly contained within the existing roof area.

On the flat roofs, the panels would be mounted in frames with the panels tilted 10 degrees up from the horizontal.

## **7.0 Relevant Planning History**

Submission of the applications follows informal pre-application discussions regarding the proposal and informal consultation with Dorset Council's Senior Conservation Officer who noted:

- (i) that the addition of solar panels to the main roof would be unlikely to be supported;
- (ii) that the low section of pitched roof which adjoins the central flat area should be avoided owing to its visibility and potential to distract from the main building; and
- (iii) that the proposed small section on the west-facing pitch of the modern rear extension behind the main school building would also be unlikely to be supported.

An associated application has been submitted seeking listed building consent and is the subject of a separate report recommending that listed building consent be refused (Application Reference: P/FUL/2021/03943).

## **8.0 List of Constraints**

As noted above, the school building is a Grade II listed building (NHLE 1214877) and there are a number of other listed buildings in the near vicinity.

The School Site is located within the designated Dorset Area of Outstanding Natural Beauty ('the Dorset AONB') and within the designated Symondsburry Conservation Area.

In considering whether to grant listed building consent for any works a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses – Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

In respect of land and buildings in a Conservation Area the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character of that area – Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty (AONB), local planning authorities must have regard to the purpose of conserving and enhancing the natural beauty of the AONB.

## **9.0 Consultations**

### **Consultees**

#### **1. Ward Members – Bridport Ward**

No response received.

#### **2. DC Conservation & Design Officer**

Responded to associated application for listed building consent on 9<sup>th</sup> December 2021 advising that the location, number and appearance of the proposed solar panels are considered to impact on the heritage asset's aesthetic and historical values, so eroding this key listed building's significance and the setting of it and the neighbouring heritage assets, thus impacting detrimentally on the Group's Value and the overall historic streetscene of the settlement and wider AONB. Further commented that:

“... the scheme fails to give great weight to the conservation of these heritage assets in line with NPPF para 199, which states that where high status assets exist, such as the church and inn, the greater the weight should be.

NPPF para. 197 also states that there should be a desirability of sustaining and enhancing the significance of heritage assets as well as

new development making a positive contribution to local character and distinctiveness.

Where harm arises, as in this case, it should be weighed against public benefit. It is acknowledged that solar panels will contribute a benefit to the financial costs of the school in the long term, however, the extent of visual harm fails to preserve or enhance the settings of the surrounding heritage assets and is considered to be of a level that cannot in this specific case, be sufficiently outweighed by public benefit.

It is recommended the scheme is considerably modified and that further information is provided in regard to the queries raised in regards the flat roofed areas in order for a fully informed decision to be made in relation to these.”

Further commented that from both the public domain within the Conservation Area and from the curtilages of the listed school, inn and Church it is clear that there are a large number of vantage points providing sightlines to the single storey elements, as well as the main listed building elements including sections of its valley and that from the churchyard, due to its raised level, also provides oblique glimpses of the flat roof surface of the modern, northern link building.

Specifically in relation to the flat roofed areas, commented that there is some scope for panels in these areas in principle, but identified a need for further information in relation to the means of fixing and securing the panels and clarification as to the implications for visibility.

### 3. Symondsburry Parish Council

Responded to original proposal with a detailed objection concluding that the proposals would result in substantial or more than substantial harm. The response noted that the key area of concern was the panels on the pitched roofs areas and strongly suggested that applicants consider installing a ground level solar panel array adjacent to the south elevation of the school in the vicinity of the step change in level by the playing area.

#### **Representations received**

The application was advertised by site notice displayed on 22<sup>nd</sup> October 2021.

<b>Total – Objections</b>	<b>Total - No Objections</b>	<b>Total – Comments</b>
0	0	1

<b>Petitions Objecting</b>	<b>Petitions Supporting</b>
0	0
0 Signatures	0 Signatures

Representations have been received from an owner of land within and around the School Site noting an omission by the applicant to provide notice of the application, but confirming that they are content for the application to be considered and expressing support for the application proposals which they consider will enhance the conservation area and that any damage will be more than outweighed by the public benefits in supporting the school and reducing carbon emissions.

## **10.0 Relevant Policies**

National Planning Policy Framework, July 2021 ('the NPPF'):

- Achieving Sustainable development – paragraphs 7-14;
- Decision making – paragraphs 38-59;
- Meeting the challenge of climate change, flooding and coastal change – paragraphs 152-173;
- Conserving and enhancing the natural environment – paragraphs 174-188; and
- Conserving and enhancing the historic environment – paragraphs 189-208.

## **11.0 Human rights**

The Human Rights Act 1998 imposes an obligation on public authorities not to act incompatibly with the European Convention on Human Rights. The articles/protocols of particular relevance are:

- (i) Article 6 - Right to a fair trial;
- (ii) Article 8 - Right to respect for private and family life; and
- (iii) The First Protocol, Article 1 - Protection of Property.

The recommendation made is based on national and adopted development plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **12.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage.

The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Having considered the information presented in the application, consultation responses and the prevailing planning context, I am satisfied that the proposed works

would have no material impact on individuals or identifiable groups with protected characteristics.

## **14.0 Climate Implications**

Paragraph 152 of the NPPF provides that:

“The planning system should support the transition to a low carbon future in a changing climate and should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

The application proposal is focussed on harnessing a renewable source of energy and forms part of Dorset Council’s wider estate decarbonisation strategy. The proposed development would make a valuable contribution to cutting greenhouse gas emissions.

Information submitted in support of the application as amended indicates that the proposed works would have a generating capacity of 15 kilowatts (kW) equating to a saving of approximately 3,570 kg in carbon dioxide emissions (CO<sub>2</sub>e) per annum.

## **15.0 Officer Assessment**

The main issues in the determination of the application relate to

- (i) the impact of the proposed works on the character, appearance, heritage significance and setting of the school building; and
- (ii) whether any harm to heritage significance is justified and significantly outweighed by the public benefits associated with the proposed works.

The NPPF provides that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) and that achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (paragraph 8).

Paragraph 38 of the NPPF provides that local planning authorities should approach decisions on proposed development in a positive way and further states that decision-makers at every level should seek to approve applications for sustainable development where possible.

The school building is a Grade II listed building and hence a designated heritage asset. The significance of the school derives principally from the architectural and historic special interest of the building fabric.

The School Site is located within the Dorset AONB and within a highly sensitive historic area at the heart of the Symondsburry Conservation Area and in close proximity to the high status Grade I listed church and its associated Grade II listed churchyard walls, steps, tombs and War Memorial, along with the Grade II farm buildings of Manor Farm to the north; Grade II Old Rectory Cottage and phone

box to the west; Grade II Symondsburry House and boundary walls to the east; and Grade II\* Ilchester Arms to the south.

The setting of the listed school building comprises the core of the settlement, where the school is experienced in the context of the Grade I listed church and the Grade II\* listed Ilchester Arms. Both buildings endow the setting with high levels of architectural and illustrative value. The settings of many of the designated assets in the near vicinity of the school overlap and together they are of significant group value.

The proposed panels are of a standard manufactured design with a black frame and a white backsheet. On most roof coverings, black-framed panels tend to be less visually intrusive than those with uncoated metal frames. Mounting panels close to or flush with roof planes as proposed can also assist to visually integrate the panels and pre-existing built fabric, moderating visual impact.

A Heritage Statement has been submitted in support of the application that considers the impact of the originally proposed development on the character, appearance and heritage significance of the school and the Symondsburry Conservation Area as well as the implications for the heritage significance of other designated assets elsewhere within the Conservation Area and for the cultural heritage of the Dorset AONB.

In relation to impact on the listed school building the Heritage Statement notes:

“The installation of the solar panels to the historic roof planes of the school building and school house detract from the experience of the roofscape in the context of the church adjacent and also causes a modernising effect which is out of character with the architectural character of the School building. The presence of installed panels to the school extension, by virtue of these being located in the main to the flat roof surfaces, is less visually intrusive. Restricting the solar panels to the south plane of the school building means that in views from street level a section of these are occluded by the roof plane of the school house, which reduces their visual impact. The solar panels are only minimally experienced to the Mill Street elevation and will be most evident in views north across the playing fields towards the Church. Whilst the architectural and special interest of the school building will continue to be legible, and the proportions of the roofscape retained, the proposed panels will be an obviously alien feature in the context of the roofscape, and the harm they occasion is considered to be in the minor/moderate range of less than substantial.”

In relation to other listed buildings, on account of change within their setting, the submitted Heritage Statement identified minor or very minor harm to the significance of the Church, the Ilchester Arms and to Rectory Cottage.

In relation to impact on the Grade I listed Church, the submitted Heritage Statement records that:

“As identified in the above assessment of the Primary School, the proposals are considered to cause a level of minor/moderate harm to the significance of the School Building, and this impacts on the setting and significance of the

Church building as it detracts from the legibility of the historic group and the visual coherence of the asset's setting. Whilst the Mill Street elevation of the school, experienced from within the churchyard, is only minimally affected by the proposals, the view of the southern roof planes of the School in the context of the Church will be quite evidently altered and its historic character lessened. In terms of harm to the significance of the Church, it is considered that the harm is minor in extent."

In relation to impact on the Symondsburry Conservation Area, the submitted Heritage Statement records that:

"As identified above, the proposals are considered to generate levels of minor and moderate harm to a key group of buildings within the Conservation Area, and as a result the character and appearance of the Conservation Area will be harmed. Levels of harm in regard to Conservation Areas have to be assessed having regard to the conservation area as a whole, and it is noted that there are many areas within the conservation area, and the views from Colmer's Hill, which will not be impacted by the proposals. In this regard it is considered that the harm to the conservation area properly sits within a low level of less than substantial harm.

Having regard to the content of the submitted Heritage Statement and to the comments submitted by Dorset Council's Conservation and Design Officer it is apparent that installation of solar panels to the historic roof plane of the former schoolmasters house would have a modernising effect that would be out of keeping with the architectural character of the School building and would detract from the experience of the roofscape in the context of the church and other listed buildings. By virtue of being located in the main to the flat roof surfaces, presence of solar panels on the side extension to the original school building would be less visually intrusive and less harmful to the character of the building, but would still be detrimental to the character and appearance of the building and its setting.

Paragraph 189 of the NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Government policy is equally clear that:

- (i) 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 (NPPF paragraph 199);
- (ii) that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (NPPF paragraph 200);
- (iii) 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 including, where appropriate, securing its optimum viable use (NPPF paragraph 202); and
- (iv) the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that in weighing applications that directly or indirectly 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 (NPPF paragraph 203).

Amendment of the application by the withdrawal of proposals for panels on the southern roof plane of the original school building reduced consequent harm to heritage significance but a minor-moderate level of less than substantial harm to heritage significance remains and is to be given great weight in decision making. Consideration should also be given to the options for reducing harm to heritage significance.

The carbon savings associated with the installation of proposed solar panels would make a valuable contribution to cutting greenhouse gas emissions and associated cost savings and income could be to the benefit of education services and the continued use of a historic building for the purpose for which it was constructed. On site electricity generation would also make a minor contribution to energy security. Accordingly, there are meaningful public benefits to be weighed against the harms associated with the proposed works.

Having carefully considered the environmental implications of the application proposal, in my opinion, the consequent harm to heritage significance is not clearly and convincingly outweighed by the associated public benefits. It is also apparent that there is potential for a considerable element of the potential public benefits to be realised with less impact on the character, appearance, setting and heritage significance of the building.

## **16.0 Conclusion**

For the reasons set out above and as summarised in section 17.0 below, in accordance with national planning policy, listed building consent should be refused.

## **17.0 Recommendation**

That the Committee would be minded to refuse listed building consent for the reason set out below and recommends that the Head of Planning determines the application accordingly.

### Reason

- (1) The installation of solar panels as proposed would have a modernising effect on this Grade II listed school building (National Heritage List Entry 1287599) that would be out of keeping with the architectural and historic character of the building and would detract from character, appearance, setting and heritage significance of the building. The harm to heritage significance would not be justified or significantly outweighed by the public benefits associated with the works.

### Informative Notes

- (1) The following plans and drawings submitted as part of the application were considered by the local planning authority:
  - (i) Drawing Number 01 dated 20/08/2021 and titled SITE PLAN;
  - (ii) Drawing Number 02 dated 20/08/2021 and titled LOCATION PLAN;

- (iii) Drawing Number 05 dated 16/09/2021 and titled PROPOSED EAST AND WEST ELEVATIONS;
  - (iv) Drawing Number 06 dated 16/09/2021 and titled PROPOSED NORTH AND SOUTH ELEVATIONS; and
  - (v) Drawing Number 07 dated 20/08/2021 and titled ROOF PLAN.
- (2) In accordance with the National Planning Policy Framework, as the local planning authority, Dorset Council takes a positive and proactive approach to development proposals focused on solutions. Dorset Council worked with the applicant/agent in a positive and proactive manner by providing a pre-application advice service.
- (3) Further information relating to this decision may be viewed online through the application webpages accessible by entering the application details at <https://planning.dorsetcouncil.gov.uk/>.