

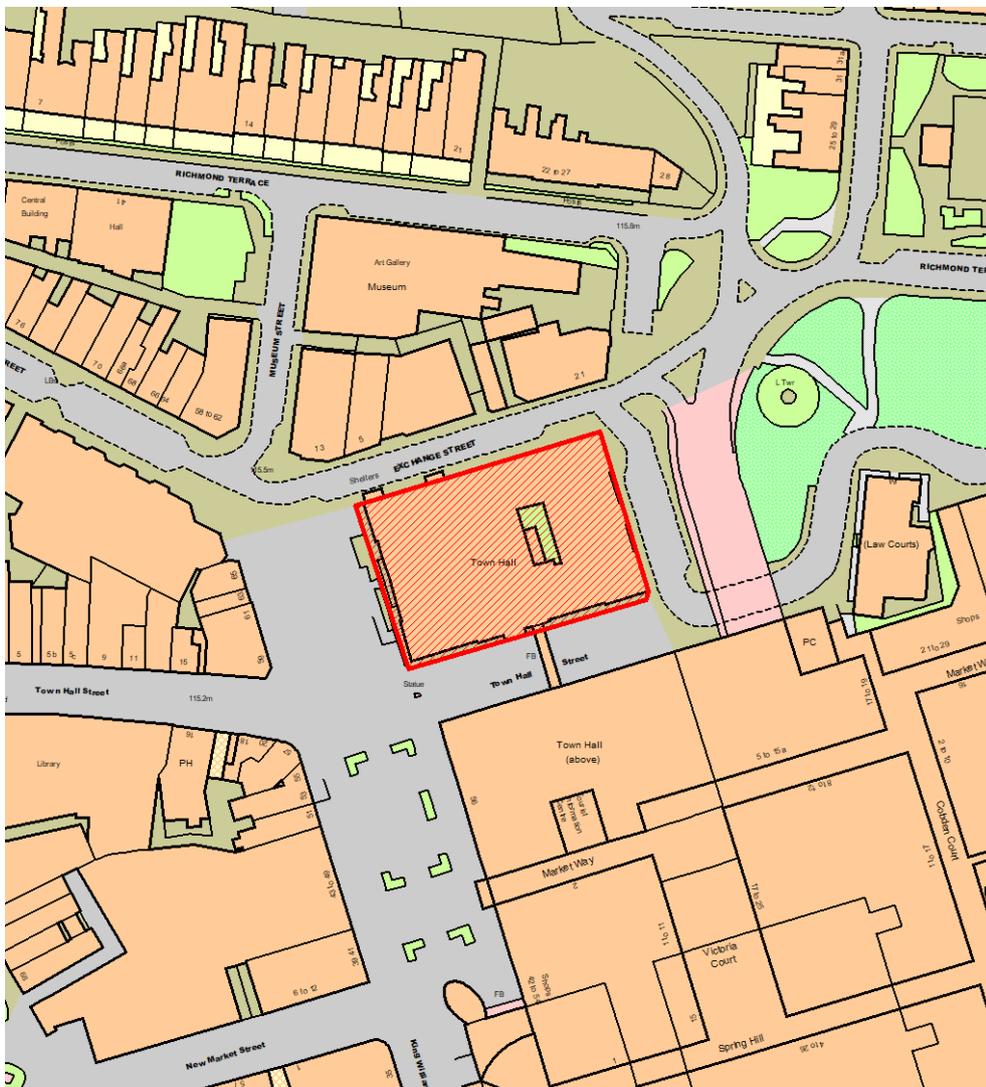
Proposed development: Full Planning Application (Regulation 3) for Installation of Solar Photo Voltaic (SPV) arrays to roof areas

**Site address:
Old Town Hall
King William Street
Blackburn
BB1 7DY**

Applicant: Blackburn with Darwen Borough Council

Ward: Blackburn Central

**Councillors: Councillor Samim Desai
Councillor Mahfooz Hussain
Councillor Zamir Khan**



1 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is recommended to be granted planning permission, subject to the conditions detailed in Section 5.

2 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This planning application (see related listed building consent application 10/22/0187) is submitted by the Council for the installation of Solar Photo Voltaic (SPV) arrays to the roof areas on the Old Town Hall, Blackburn, a Grade 2 listed Council owned building.
- 2.1.2 As a listed building in a conservation area, the key priority is to preserve the special character of these heritage assets, including their setting.
- 2.1.3 The reasons for installing the SPV system, which forms part of the Public Sector Decarbonisation Scheme (PSDS), is to reduce the building's reliance on grid electricity to save money and to reduce emissions of carbon dioxide. This will contribute towards the Council's Climate Emergency Declaration to be carbon neutral by 2030.
- 2.1.4 This application is presented to the Planning and Highways Committee as a Regulation 3 application, in accordance with the Council's scheme of delegation.
- 2.1.5 It is considered that the proposal will have the potential to make a positive impact on air quality by introducing a renewable energy source and thus reducing the Council's reliance on fossil fuel generated energy. The proposed development supports the transition to a low carbon future in a changing climate, as required by the NPPF. This will contribute towards the Council's Climate Emergency Declaration to be carbon neutral by 2030.
- 2.1.6 In line with Policy 9 (2) of Local Plan Part 2: 'Development and the Environment', the proposal will cut emissions of carbon dioxide and so help to mitigate climate change. The proposal constitutes a small-scale renewable energy scheme, in keeping with Policy 36: 'Climate Change', of BwD Local Plan Part 2.
- 2.8 As set out in this report, the proposal is considered acceptable and any impacts can be mitigated through appropriately worded planning conditions.
- 2.9 The key issues to be addressed in determining this application are;
- Principle of development;
 - Impact on the character of the heritage asset(s), including their setting, and design / visual amenity;
 - Other matters

3 RATIONALE

3.1 Site and Surroundings

3.1.1 The Council owned Grade 2 listed building is located within the inner urban area of Blackburn, within the town centre boundary, as defined by the Proposals Map associated with the Blackburn with Darwen Local Plan Part 2, and also with the Northgate Conservation Area, a Coal Low Risk Area, and Article 4 area.

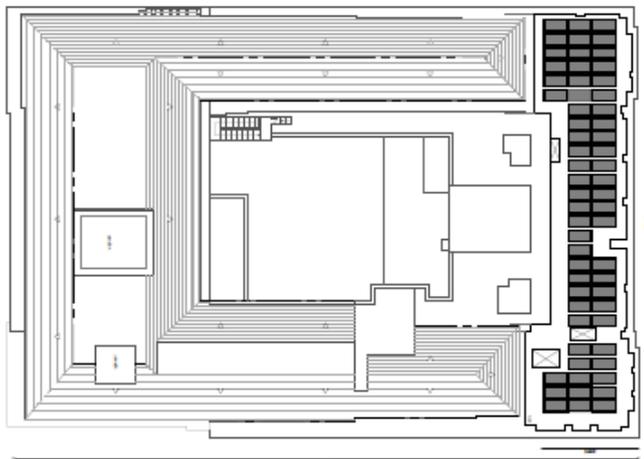
3.1.2 The site comprises the Town Hall, located on the west-side of King William Street, facing a small public square. It is a large building of rectangular plan with an internal courtyard, and hipped and flat roofs concealed by a stone parapet.

3.2 Proposed Development

3.2.1 As detailed above, this application seeks full planning permission for the installation of Solar Photo Voltaic (SPV) arrays to the roof area.

3.2.2 The proposed scheme involves the installation of solar PV panels on the flat area of the roof, set at 15 degrees angle and not protruding more than 425mm from the roof deck. The PV panels would be installed on ballast on modern bitumen felt. Cabling will be entering the building underneath the slate covering of the adjacent slate roof.

3.2.3 The siting of the SPVs is shown on the proposed roof plan, below.



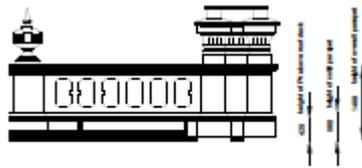
Proposed Roof Plan 1:200
Figure 1 –Proposed Roof Plan

3.2.4 The proposed elevations are shown below, with the solar panels not visible from the side, or from the street scene below, due to the parapet roof.



Figure 2 – Proposed elevations

3.2.5 This can be seen in the section below, which shows the SPVs below the parapet.



Proposed Installation Height Detail - 1:50

Figure 3 – Proposed installation height detail

3.2.6 As part of this submission, a Design & Access / Heritage Impact Statement was submitted to justify the proposal.

3.3 Site Photo



Photo taken on 2nd March 2022

3.4 **Planning history**

3.4.1 There is no relevant planning history associated with this site which is considered directly relevant to the determination of this case.

3.5 **Development Plan**

3.5.1 **Blackburn with Darwen Core Strategy**

Policy CS1: A Targeted Growth Strategy

Policy CS13: Environmental Strategy

Policy CS16: Form and Design of New Development

Policy CS17: Built and Cultural Heritage

3.5.2 **Local Plan Part 2 (adopted 2015):**

Policy 1. The Urban Boundary

Policy 2. The Inner Urban Area

Policy 7: Sustainable Development

Policy 8: Development and People

Policy 9: Development and the Environment

Policy 11: Design

Policy 26. Town Centres – a Framework for Development

Policy 36: Climate Change

Policy 39: Heritage

3.5.3 **Other material considerations**

3.5.4 **National Planning Policy Framework**

Section 16: Conserving and enhancing the historic environment - in particular paras 194-202

3.5.5 **Northgate Conservation Area Character Appraisal (2009)**

3.5.6 **Northgate Conservation Area Development Guide (2009) Blackburn Town**

3.5.7 **Centre Conservation Area Management Plan (2009)**

4.0 **ASSESSMENT**

4.1 **Principle of development;**

4.1.1 The reasons for installing the SPV system, which forms part of the Public Sector Decarbonisation Scheme (PSDS), is to reduce the building's reliance on grid electricity to save money and to reduce emissions of carbon dioxide. This will contribute towards the Council's Climate Emergency Declaration to be carbon neutral by 2030.

4.1.2 The Council, the applicant, is seeking full planning permission for the installation of a roof mounted Solar Photo Voltaic (SPV) system. The reasons for installing the SPV system, which forms part of the Public Sector Decarbonisation Scheme (PSDS), is to reduce the building's reliance on grid electricity to save money and to reduce emissions of carbon dioxide. This will

contribute towards the Council's Climate Emergency Declaration to be carbon neutral by 2030.

4.1.3 Technical information has been provided in respect of the design and capacity of the proposals. The solar panels proposed are TrinaSolar Vertex S Backsheet Monocrystalline Modules. PRODUCT: TSM-DE09.05, PRODUCT RANGE: 380-395W.

4.1.4 Given the proposal is part of the Governments Public Sector Decarbonisation Scheme, which will provide a source of renewable energy and high public benefit, the proposal is considered acceptable in principle, providing any specific impacts do not outweigh the wider benefits.

4.1.6 The specific impacts of the proposal are assessed below.

4.2 **Impact on the character of the heritage asset(s), including their setting, and design / visual amenity;**

4.2.1 Siting, design and external appearance / visual amenity

4.2.2 In general terms, Policy CS16 and Local Plan Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context and making a positive contribution to visual amenity.

4.2.3 The equipment is considered to be located in the only practicable position considered viably possible without significant effect on the external appearance of the building and the amenity of the area.

4.2.4 The SPVs would sit below the parapet roof of Old Town Hall and would not be visible from any public vantage points. They are of appropriate size, scale and design. The proposal would have no adverse impact on visual amenity or the street scene. The siting, design and external appearance of the development are all considered acceptable. The proposal therefore complies with Local Plan Policy 11.

4.2.5 Impact on the character of the heritage asset(s), including their setting

4.2.6 Policy CS17 and Local Plan Policy 39, in relation to heritage assets, seek to ensure that proposals preserve the special character of heritage assets, including their setting. The Old Town Hall is a Grade 2 Listed building within the Northgate conservation area.

4.2.7 In terms of the impact on the listed building, the proposal is acceptable in principle and the installation will be reversible. The positioning and technical specification of the SPVs is sensitive to the significance of the listed Town Hall. The panels would sit below the height of the existing stone parapet and would not be visible from any public vantage point. The Council's Heritage consultee has advised that the significance of the building and its historic fabric would not be harmed.

4.2.8 In terms of the impact on the character or appearance of the Northgate Conservation Area, given the proposal would not be visible from any public vantage point, the proposal would not harm the character or appearance of the Northgate Conservation Area.

4.2.9 The proposal therefore complies with Policy CS17 and Local Plan Policy 39, and the NPPF.

4.3 **Other matters**

4.3.1 Amenity / Glare

Policy 8 of the Local Plan states that all development proposals must secure a satisfactory level of amenity and safety.

4.3.2 In relation to the impact of glare on occupiers of neighbouring land, the nature of solar panels is to absorb as much light as possible, and glare would mean they are ineffective. As technology of solar panels advances, glare is further reduced. The solar panels would sit atop a three storey building in the town centre, screened by the existing parapet wall. The proposals would not cause any glare or other amenity issues. The proposal does not conflict with Policy 8 of the Local Plan.

4.3.3 Highways issues, Parking, Servicing

4.3.4 Policy 10 outlines a general requirement for all development proposals to not prejudice road safety, or the safe and convenient movement of all highway users.

4.3.5 The proposal would have a neutral impact on highway, parking and servicing at the site. Therefore the proposal would not conflict with Policy 10.

4.3.6 Foul and surface water

4.3.7 Requirements within Policy 9 state that it must be ensured that all proposals are not subject to an unacceptable risk of flooding, or adversely contribute to the risk of off-site flooding.

4.3.8 The proposal would have a neutral impact on foul drainage or surface water run off. Therefore the proposal would not conflict with Policy 9.

4.3.9 Ecology

4.3.10 Requirements within Policy 9 state that all development proposals must avoid unacceptable impacts on environmental assets or interests, including habitats and species.

4.3.11 The proposal would have a neutral impact on ecology. Therefore the proposal would not conflict with Policy 9.

4.3.12 Climate Change and Air Quality

4.3.13 Policy 36 of the Local Plan requires all development proposals to minimise contributions to carbon emissions and climate change, both directly from the development and indirectly arising.

4.3.14 The proposal has the potential to make a positive impact on air quality by introducing a renewable energy source and thus reducing the Council's reliance on fossil fuel generated energy. The proposed development supports the transition to a low carbon future in a changing climate, as required by the NPPF. This will contribute towards the Council's Climate Emergency Declaration to be carbon neutral by 2030. The proposal is acceptable in principle and complies with Policy 36 of the Local Plan and the NPPF.

4.4 Conclusion

4.4.1 The proposal is acceptable in principle, and there would be no unacceptable specific impacts as a result of the works. The panels would not be visible from public vantage points, and the proposal is reversible. The Council's Heritage consultee raised no objections to the proposal, and no other objections were received.

4.4.2 It is considered that by virtue of its siting, design and external appearance, the proposal would not be harmful to amenity, the visual amenities of the locality, the Listed building, or the Northgate Conservation Area. The proposals are thus in accordance with the aforementioned relevant policies of the Development Plan for Blackburn with Darwen, and the NPPF.

5 RECOMMENDATION:

APPROVE, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004 and by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Job no. CS101243, Dwg no. OTH-CAP-00-ZZ-DR-BS-1002: Location plan, and Proposed roof plan and elevations, @A1;

and in accordance with:

Technical information: TrinaSolar Vertex S Backsheet Monocrystalline Modules. PRODUCT: TSM-DE09.05, PRODUCT RANGE: 380-395W; And the Design & Access / Heritage Impact Statement, by Capita, dated February 2022.

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

6 CONSULTATIONS

6.1.1 A site notice was displayed outside the site on 2nd March 2022, and a Press notice was published in the Lancashire Telegraph on 16th March 2022. The Council's heritage consultee (Growth Lancashire) was consulted, and The Historic Amenities Society.

6.1.2 Growth Lancashire (Heritage consultee)

6.1.3 **No objections, subject to conditions.**

The site comprises the Town Hall, located on the west-side of King William Street, facing a small public square. It is a large building of rectangular plan with an internal courtyard, and hipped and flat roofs concealed by a stone parapet.

Proposal

The proposed scheme involves the installation of solar PV panels on the flat area of the roof, set at 15 degrees angle and not protruding more than 425mm from the roof deck. The PV panels would be installed on ballast on modern bitumen felt. Cabling will be entering the building underneath the slate covering of the adjacent slate roof.

Designations

The building is Grade II Listed (HE ref no.1239734). It is also located in the Northgate Conservation Area.

Legislation

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should, in coming to decisions, consider the principle Act. Which states the following;

Listed Buildings – Section 66(1)

In undertaking its role as a planning authority the Council should in respect to listed buildings pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Conservation areas – Section 72(1)

In undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

Planning Guidance and Policy

NPFF

P.194 states that in determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

P.197 states that in determining planning applications, LPAs should take account of:

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. The desirability of new development making a positive contribution to local character and distinctiveness.

P.199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

P.200 states 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.

P.202 identifies that where a proposal would 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.

Local Plan

Adopted Blackburn with Darwen Core Strategy (Local Plan Part 1)

Policy CS16: Form and Design of New Development

Policy CS17: Built and Cultural Heritage

Adopted Blackburn with Darwen Local Plan (part 2)

Policy 11 - Design

Policy 39 - Heritage

Other material considerations:

Northgate Conservation Area Character Appraisal (2009)

Northgate Conservation Area Development Guide (2009)

Blackburn Town Centre Conservation Area Management Plan (2009)

Assessment

The key heritage issues for the LPA to consider are;

- ☑ the impact of the proposal on the significance of the Town Hall as a listed building.
 - ☑ the impact on the character or appearance of the Northgate CA
- Impact on the listed building

The scheme is proposed as part of the Government's Public Sector Decarbonisation Scheme and in Blackburn and Darwen forms part of a wider programme covering 10 buildings within the local authority estate. In total the programme will reduce the Council's carbon emissions by approximately 5%.

The installation would be reversible and would provide a source of renewable energy, which constitutes a high public benefit. The proposal would therefore meet the requirement under P.200 of the NPPF.

The proposed location for the PV panels is considered to be sensitive to the significance of the listed Town Hall. The panels would sit well below the height of an upstanding stone parapet on a section of flat roof on the eastern side of the building and would not be visible from any public vantage point.

The panels would be installed on a part of the roof which has modern bitumen felt covering (refurbished in 2011) and the cabling would follow existing service runs, thereby having minimal impact on the existing historic fabric.

Whilst clearly the installation of the panels would be a modern intervention on the historic building the significance of the building, which is largely embedded in the architectural form and appearance of the mid C19 civic building, would in my view remain unharmed.

Impact on the character or appearance of the Northgate Conservation Area
For largely the same reasons as highlighted above the new PV installation would not harm the character or appearance of the Northgate Conservation Area.

As such, I consider that the proposal would meet the statutory duty 'to preserve'.

Conclusion / recommendation

As I am required to do so, I have given the duty imposed by s.66(1) and s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments.

In this respect as I feel the scheme as presented causes no discernible harm to either the significance of the Town Hall building (as a Grade 2 Listed Building) or the character/appearance of Northgate Conservation Area. As such the proposed scheme conforms to the guidance contained in Chapter 16 of the NPPF and Policy CS17 of the Adopted Blackburn with Darwen Core Strategy and Policy 39 of the Adopted Blackburn with Darwen Local Plan.

6.1.4 The Historic Amenities Society

6.1.5 No comments offered.

7 **CONTACT OFFICER:**

Tom Wiggans, Planner

8 **DATE PREPARED: 8TH April 2022**