

19/2004/012LB

MR D GROUNDS

**INSTALLATION OF SOLAR PANELS AT THE CIDER HOUSE, CAPLAND COURT,
HATCH BEAUCHAMP.**

30574/18846

LISTED BUILDING CONSENT-WORKS

PROPOSAL

The application is retrospective and comprises the installation of 2 No. solar panels on the pantiled roof of the front elevation of one of a group of former farm buildings which have been converted to residential use. The buildings are within the curtilage of Capland farmhouse, a Grade II listed building.

The application is identical to application 19/2003/020LB which was refused in January, 2004 because of its adverse impact on the character and appearance of the building and group of buildings. A report was then presented to Committee on 19th May, 2004, where it was resolved not to authorise listed building enforcement action and prosecution proceedings, contrary to recommendation.

CONSULTATIONS AND REPRESENTATIONS

CONSERVATION OFFICER very visible within courtyard and from main entrance to former farmyard complex. Objection raised.

PARISH COUNCIL the Council reiterates its previous decision, namely that the Council objects to the proposal as submitted because of its impact on the character and setting of a listed building.

1 LETTER OF OBJECTION has been received on the grounds that the siting of the panels has an adverse effect on the appearance of the roofline of this courtyard development; previous applications for additional roof windows have had to be positioned facing out from the development and had to be of an approved velux heritage type and strictly limited in number; the panels were installed without a planning application being submitted; and that there are stringent conditions imposed on barn conversions, especially those of a courtyard nature within the curtilage of a listed building.

POLICY CONTEXT

Policies EN17 and EN18 of the Taunton Deane Local Plan Revised Deposit seek to safeguard the character, appearance and setting of listed buildings.

ASSESSMENT

Whilst the building is not listed in its own right, it is nevertheless of considerable architectural merit and is sited within the curtilage of the farmhouse, which is a Grade II

listed building. The building and the group of buildings of which it forms a part, represent an important historical and visual link with the farmhouse, and consequently any alternations which are out of character or which would detract from their architectural merit, should be resisted. The solar panels are obtrusive, modern and totally alien to the character and appearance of the building and group of buildings, and it is recommended that listed building consent be again refused. The application is being presented to Committee because of the resolution of the Committee of 19th May, 2004, which resolved that no enforcement action be taken. The Committee is therefore advised not only to again refuse listed building consent with an additional reason regarding creating an undesirable precedent, but to authorise enforcement action and prosecution proceedings.

RECOMMENDATION

Listed building consent be REFUSED for the reasons of (1) the proposed development would be out of keeping with the character and appearance of this building and the adjoining group of buildings, all of which are curtilage buildings of Capland Farm, a Grade II listed building. Accordingly, the proposal is contrary to Policies EN17 and EN18 of the Taunton Deane Local Plan Revised Deposit, and (2) the granting of listed building consent would create an undesirable precedent for applications of a similar nature which the Local Planning Authority would then find difficult to resist. The cumulative impact of such development would considerably exacerbate the adverse impact on the character and appearance of the building and group of buildings contrary to Policies EN17 and EN18. It is also resolved that enforcement action and prosecution action be authorised.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES: