OFFICER REPORT

Case No: 25/00985/FUL Full Planning Application

Proposal: Installation of solar photovoltaic panels on the Donaldson Building roof

Location: Kimbolton School Castle Green Kimbolton

Applicant: Jennifer Agnew

Grid Ref: 510097 267603

DESCRIPTION OF SITE AND APPLICATION

Kimbolton Castle is Grade I Listed and is located with the Kimbolton Conservation Area and is close to large number of Grade II Listed Buildings along the main high street of Kimbolton. It stands on the location of a twelfth century moated site with elements of the Tudor Castle remaining. Its appearance predominantly dates from the early 18th century. It was sold to Kimbolton School in 1950.

The proposed works are for the installation of solar photovoltaic panels on the Donaldson Building roof.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2023 sets out the Government's planning policies for (amongst other things):
* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP2: Strategy for Development
LP8: Key Service Centres
LP11: Design Context

LP12: Design Implementation
LP14: Amenity
LP34: Heritage Assets and their Settings
LP35: Renewable and Low Carbon Energy

Planning Practice Guidance is also relevant and a material consideration.

Supplementary Planning Documents

- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Developer Contributions: Updated Costs 2023/24
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD 2017
- Annual Monitoring Review regarding housing land supply (2024)
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Kimbolton Conservation Area Character Assessment (January 2003)

Local policies are viewable at https://www.huntingdonshire.gov.uk

Planning (Listed Buildings and Conservation Areas) Act 1990

PLANNING HISTORY

Numerous – more recent include:

0000598FUL for Formation of car park and link road – permission granted 15.11.2000
01/01461/FUL for Erection of porch and provision of ramp to CDT block – permission granted 28.08.2001
01/01491/LBC for Internal alterations to lighting of White Hall – consent granted 29.07.2002
0502349FUL for Erection of new entrance foyer to replace existing and alterations – permission granted 08.09.2005
0502368LBC for Retention of extraction flues to Coach House – consent granted 03.07.2006
0502392FUL for Retention of extraction flues – permission granted 03.07.2006
0502437FUL for Erection of new teaching and lecture hall block, re-location of LPG tank enclosure, landscaping and ancillary work – permission granted 30.05.2006
0800759FUL for Creation of artificial and grass sports pitches, fencing, lighting and replacement parking – permission granted 17.07.2008
1000347LBC for Retrospective application for internal alterations to basement – consent granted 26.04.2010
1000806FUL for Installation of 2 removable bollards outside the entrance to the school – permission granted 21.09.2010
1000954FUL for Proposed extension to dining room and reinstatement of chimneys – permission granted 27.08.2010
1000955LBC for Proposed extension to dining room and reinstatement of chimneys – consent granted 27.08.2010
1100653LBC for Repairs to the timber walls panelling and decorate walls to the Popham Gallery – consent granted 27.07.2011
1100736FUL for Proposed extension to dining hall and reinstatement of chimneys – permission granted 05.07.2011
1100737LBC for Proposed extension to dining hall and reinstatement of chimneys – consent granted 05.07.2011

1100894FUL for Extension to existing building to create a workshop - permission granted 01.08.2011
1101175FUL for Erection of a portacabin - permission granted 12.09.2011
1300619FUL for Installation of biomass boiler to supply swimming pool and Queen Katherine buildings – permission granted 01.08.2013
1300680LBC for Repairs to roof and improvement to roof access. Works to three windows – consent granted 29.07.2013
1301044S73 for Variation of Condition 1 of Planning Permission 1101175FUL to extend the period of time the portacabin is positioned on the site – permission granted 15.08.2013
1301248FUL for Demolition of an existing single storey classroom block, construction of new two storey teaching block and siting of temporary classrooms – permission granted 27.11.2013
1301249CAC for Demolition of an existing single storey classroom block, construction of new two storey teaching block and siting of temporary classrooms – permission granted 13.12.2013
1301644FUL for Elevation alterations to existing Donaldson teaching block – permission granted 20.12.2013
1401829NMA for Amendment to Planning Permission 1301248FUL for change to North-East elevation to include an external door – consent granted 26.02.2015
18/01770/FUL for A temporary, single storey, classroom to be used by the Music Department for the teaching of percussion – permission granted 04.12.2018
19/01019/FUL for Demolition of existing pre-fabricated building which houses the Outdoor Pursuits Department and erection of replacement building (Part retrospective application) – permission granted 07.05.2020
21/00575/LBC for Repairs to the gutters, parapet, timberwork and roof of grade I listed gatehouse to prevent further ingress of water and subsequent damage – consent granted 25.08.2021

CONSULTATIONS

Kimbolton Parish Council – no response received at time of determination.

Historic England – no advice to give. Suggest seeking the views of the Local Planning Authority's specialist conservation advisers.

HDC Conservation Team – no objections. It is accepted that there will be a modest impact on the setting of the heritage asset and will result in significant benefits in helping the school reach a net zero carbon impact on climate change.

REPRESENTATIONS

No objections received at time of determination.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of:
o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029 (2016)
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan (2022)
o Great Gransden Neighbourhood Plan (2023)
o Sawtry Neighbourhood Plan (2023)
o The Stukeleys Neighbourhood Plan (2023)

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

o The Principle of Development
o Design, visual amenity and impact upon the designated heritage assets
o Residential Amenity
o Renewable and Low Carbon Energy

*The Principle of Development

The proposal seeks planning permission for the installation of solar photovoltaic panels on the Donaldson Building roof. The application site is a secondary school located within the village of Kimbolton. It occupies a large site with a number of school buildings. The application does not seek to change this use and only seeks to install solar panels to the roof of a modern building within the grounds of the school. Therefore, the principle of development is already established subject to compliance with the other relevant policies and considerations.

*Design, visual amenity and impact upon the designated heritage assets

Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

Policy LP34 states that a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area’s character, appearance and setting as set out in character statements or other applicable documents.

The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

The proposal falls within the Kimbolton Conservation Area.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Para. 212 of the NPPF set out 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 213 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…'

Para 215 states '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.
Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

Kimbolton school is within the Kimbolton Conservation Area, with the main castle being grade I listed.

The proposed works are for the installation of 238 panels onto the south facing roof sections of the Donaldson Building roof. The Donaldson Building sits just outside of the Conservation Area and is shielded from almost all designated assets by other non-listed buildings. The panels will face southwest or southeast whereas almost all other assets - and the conservation area - are north of the Donaldson Building. The one exception to the above is the site of the Motte Castle, a scheduled ancient monument which lies in a small area of woodland on a hill to the south. However, the Donaldson Building is nestled in a dip at the bottom of the hill and is adjacent to the 2001 swimming pool, replete with a bright and light metal seamed roof, and the larger and more recent Queen Katherine Buildings. The proposed panels are entirely black as are all fixings and cables. They will sit on a roof composed of dark clay-coloured concrete pantiles.

Officers have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The Conservation Officer has considered the proposal and has no objections. It is considered that there will be no harm to the settings of Kimbolton Castle and associated listed structures or the conservation area but there would be a minor, less than substantial impact to the setting of Castle Hill Scheduled Monument. The submitted solar panel specification confirm that they are unlikely to reflect unacceptable amounts of light.

Whilst it is acknowledged by the Case Officer that the proposals would result in some harm as outlined above, as this is less than substantial, as per the NPPF and mentioned in preceding sections of this report, this harm should be weighed against the public benefits. Paras 167 and 168 require local planning authorities to give significant weight to the need to support energy efficiency to existing buildings, which includes the installation of solar panels, whilst also recognising the impacts on heritage assets. Officers have considered the surrounding heritage assets and the level of harm that would result from the proposed solar panels, but in this instance are of the view that the environmental public benefits from reducing climate change and achieving net zero from the contribution of these solar panels would make, would in this instance outweigh the heritage harm in line with Para 215 of the NPPF.

Therefore despite the modest less than substantial harm to the setting of the heritage asset in this instance the public environmental benefits would outweigh this harm. The proposals are therefore in accordance with ss. 66 & 72 of the Planning (LBCA) Act 1990, the NPPF (2024), and also with policies LP12 and LP34 of the adopted Huntingdonshire Local Plan.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Due to the nature and location of the proposed installation of solar panels, within a group of school buildings, it is considered that there will be no detrimental impact on the residential amenity of neighbouring properties to warrant a refusal of the application. Therefore, overall, the proposal is considered to accord with Policy LP14 of the Huntingdonshire Local Plan to 2036 in this regard.

*Renewable and Low Carbon Energy

Policy LP35 of the Local Plan to 2036 states that a proposal for a renewable or low carbon energy generating scheme, other than wind energy, will be supported where it is demonstrated that all potential adverse impacts including cumulative impacts are or can be made acceptable. National planning policy encourages renewable energy schemes unless the environmental impacts would outweigh the wider social, economic and environmental advantages that stem from exploiting the energy generation potential.

The proposal is for the installation of solar photovoltaic panels on the Donaldson Building roof. A total of 238 panels will be installed on the south facing roof sections, providing a significant amount of the energy required for the main senior school.

It is noted that the installation is completely reversible. When the panels become redundant, they can be removed without trace.

Therefore, overall, the proposal is considered to accord with Policy LP35 of the Huntingdonshire Local Plan to 2036 in this regard.

There are no other material planning considerations which have a significant bearing on the determination of this application.

*Conclusion
The proposed development is considered to be compliant with the relevant national and local policy as it:
* Is of an appropriate scale and design;
* The less than substantial impact upon the designated heritage asset, is outweighed by the public environmental benefits of reducing carbon emissions and climate change;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would meet the requirements of LP35, Renewable and Low Carbon Energy.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
Enquiries about this report to **Olivia Manton**