



Buckinghamshire Council

North Buckinghamshire Area Planning Committee

Agenda

Date: Wednesday 15 November 2023

Time: 2.30 pm

Venue: The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF

Membership: P Fealey (Chairman), H Mordue (Vice-Chairman), A Bond, P Cooper, C Cornell, P Gomm, F Mahon, S Morgan, A Osibogun, B Stanier Bt, R Stuchbury and D Town

| Agenda Item | Time | Page No |
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| 1 | APOLOGIES | |
| 2 | MINUTES To approve as a correct record the minutes of the meeting held 27 September 2023. | 3 - 4 |
| 3 | DECLARATIONS OF INTEREST | |
| APPLICATIONS | | |
| 4 | 23/02514/APP - BELL HOTEL PH, MARKET SQUARE, WINSLOW | 5 - 18 |
| 5 | AVAILABILITY OF MEMBERS ATTENDING SITE VISITS (IF REQUIRED) To confirm Members' availability to undertake site visits if required. | |
| 6 | DATE OF THE NEXT MEETING 20 December 2023 | |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Harry Thomas on 01296 585234, email democracy@buckinghamshire.gov.uk.



North Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the North Buckinghamshire Area Planning Committee held on Wednesday 27 September 2023 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 2:30pm and concluding at 4pm.

Members present

P Fealey (Chairman), A Bond, P Cooper, C Cornell, P Gomm, F Mahon, S Morgan, B Stanier Bt, R Stuchbury, D Town and A Waite

Agenda Item

1 Appointment of Vice Chairman

The Chairman announced that Councillor H Mordue had been appointed as the Vice-Chairman of the North Buckinghamshire Area Planning Committee for the remainder of the municipal year.

2 Apologies

Members heard apologies for Councillors H Mordue and A Osibogun.

Councillor A Waite sat as a substitute for Councillor H Mordue.

3 Minutes

The minutes of the meetings held on 5th April and 17th May 2023 were agreed as a correct record.

4 Declarations of interest

Councillors C Cornell, P Fealey and R Stuchbury each declared an interest in agenda item five (22/02679/AOP), as they were representatives of Buckingham West ward, in which the application site was located. Each confirmed that they were not predetermined, and therefore felt able to participate fully in the consideration of the application.

5 22/02679/AOP - Land at Buckingham Street, Tingewick

Proposal: Demolition of garage and erection of up to four dwellings all matters reserved.

Following the case officer's presentation, Laura Pearson (Development Management

Team Leader) drew members' attention to the update issued following the publication of the reports pack, which set out the updated position relating to Buckinghamshire Council's five-year housing supply in relation to the application. The update was published to the council's website prior to the meeting, and was read in its entirety to the members.

Speakers

Agent: Mr Simon Tindle

It was proposed by Councillor R Stuchbury seconded by Councillor A Waite and

RESOLVED:

That application 22/02679/AOP be **REFUSED** for the reasons specified in paragraph eight of the officer's report, and as amended in the corrigendum to the officer's report.

6 Availability of Members Attending Site Visits (if required)

Details on any site visits deemed appropriate to occur prior to an application's consideration at the next scheduled meeting of the Committee would be communicated to Members as necessary.

7 Date of the Next Meeting

18th October 2023



Report to Buckinghamshire Council North Area Planning Committee

| | |
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| Application Number: | 23/02514/APP |
| Proposal: | Solar PV panels on the roof of the function room and patio area to the rear of the hotel (retrospective) |
| Site location: | Bell Hotel Ph, Market Square, Winslow, Buckinghamshire, MK18 3AB |
| Applicant: | Mr Philip Menday |
| Case Officer: | K. MacInnis |
| Ward: | WINSLOW |
| Parish-Town Council: | WINSLOW |
| Valid date: | 17 August 2023 |
| Consultation & Publicity expiry date: | 20 September 2023 |
| Statutory Determination date: | 12 October 2023 |
| Extension of time: | 22 November 2023 |
| Recommendation: | REFUSAL |

CALL IN

This application is being presented to North Area Planning Committee following a three-Ward Member call in by Councillors John Chilver, David Goss and Sir Beville Stanier Bt.

SITE CONSTRAINTS

- Is the property located within Flood Zone 2 or 3 – No
- Subject to any Tree Preservation Orders (TPO) – No
- Subject to Agricultural or Equestrian Occupancy Conditions – No
- Within a Landscape Character Area– No
- A previously converted barn to a dwelling– No
- Within one of the catchment areas for Chilterns Beechwoods Special Area of Conservation – No
- Great Crested Newts Impact Risk Zone – Yes (Amber)
- Within Winslow Conservation Area
- Is a Grade II Listed Building and falls within the settings of Listed Buildings
- Within Archaeological Notification Area
- Within BCC Minerals and Waste Plan- Minerals Safeguarding Area- No

SITE LOCATION

The application site hosts a Grade II listed building, The Bell Public House, located within the Winslow Town centre to the southern side of Market Square and accessed off Sheep Street. The site also lies within the Winslow Conservation Area and within an Archaeological Notification Area. There are several further listed buildings within the Market Square, as well as along Bell Walk and the High Street. These nearby listed buildings include Grade II Listed numbers 3 & 5 Market Square, Grade II Listed numbers 2, 3 & 5 Bell Walk and the Grade II* Listed Baptist Chapel.

THE APPLICATION

Retrospective planning permission is sought for the installation of solar PV panels to the rear roofslope (south-eastern) of the 1996 extension of the Grade II Listed The Bell Public House, as well as for the ground mounted solar PV panels that have been installed to the rear of this extension.

Permission is sought retrospectively for the 26 solar panels that have been installed on the existing slate roof of the extension to the rear of the building. The panels measure 1.64mx1m each and are set on rails mounted at a height of 11cm above the existing slate roof of the extension. Planning permission is also being sought retrospectively for the 27 ground mounted panels which have been installed on the patio area to the rear of the extension.

The application is accompanied by a Design & Access Statement (D&AS) and a Heritage Statement.

This application follows the refusal of previous applications under Ref. 23/01596/ALB, 23/01595/APP, 22/03016/APP, 22/03017/ALB and 21/03427/APP, all proposing the installation of PV panels on the existing slate roof extension. These applications for planning permission and listed building consent were refused under delegated powers by Buckinghamshire Council following advice from the Council's Heritage Team, as the introduction of solar panels on the roof slope of the Grade II listed public house were considered to result in an unsympathetic visual impact as the slate roof would no longer be readable, and the proposal introduces a new element to the building which detracts from its traditional construction and materiality. Officers concluded this would cause less than substantial harm to the setting of the Grade II Listed Building and to the character and appearance of the Conservation Area which would not be outweighed by public benefits arising from the proposal.

There is also a concurrent application for listed building consent for the solar panels. In accordance with the Council's constitution, only the application for planning permission is referred to the North Area Planning Committee for consideration.

RELEVANT PLANNING HISTORY

There is a long planning history attached to this application of which the most relevant is as follows:

Reference: 21/03427/APP

Development: Rear roof mounted solar PV panels

Decision: Refused

Decision Date: 3 December 2021

Reference: 22/03016/APP

Development: Installation of solar PV panels

Decision: Refused

Decision Date: 11 November 2022

Reference: 22/03017/ALB

Development: Listed building application for Installation of solar PV panels

Decision: Listed Building Consent Refused

Decision Date: 11 November 2022

Reference: 23/01595/APP

Development: Installation of solar PV panels on the function room to the rear of The Bell Hotel (Retrospective)

Decision: Refused

Decision Date: 7 July 2023

Reference: 23/01596/ALB

Development: Installation of solar PV panels on the function room to the rear of The Bell Hotel (Retrospective)

Decision: Listed Building Consent Refused

Decision Date: 7 July 2023

Reference: 23/02515/ALB

Development: Listed building application for solar PV panels on the roof of the function room and patio area to the rear of the hotel (retrospective)

Decision: Pending

Decision Date: N/A

TOWN COUNCIL COMMENTS

Comments were received from Winslow Town (WTC) Council, dated 12/09/2023, as follows:

‘For the reasons set out in our letter dated 12th September 2023, WTC **SUPPORTS** this application and requests that it be called in for determination by committee. WTC undertakes to attend, and speak at, any such committee.’

‘Winslow Town Council (WTC) submitted detailed comments on the previous applications for Solar Panels on the roof of the function room of The Bell Hotel in Winslow (23/01595/APP and 23/01596/ALB) strongly supporting those applications.’

The new applications extend the description of the Solar Panel installation to include ground-mounted panels alongside the same modern building at the rear of the listed premises.

WTC’s Development Committee was extremely disappointed to note the planning officer’s assessment of the previous application, an assessment which did not indicate that any quantified balance had been undertaken in reaching the decision to refuse consent on the strength of the Heritage Officer’s representations, notwithstanding the wider issues being part of the applicant’s submission and of WTC’s submitted comments.

The application now submitted is retrospective – and therefore WTC’s comments reflect this in its comments. The applicant’s Heritage Statement clearly shows that some solar panels have been attached on top of the slate roof of a 1996 building which is attached to the listed building (but which is not itself listed). These panels (which have been installed prior to permission being granted) can already be seen to be of virtually identical colour to the slates of the underlying roof, and the type of panel used is such that there is low reflectance; therefore they have an overall appearance which is of no significant difference from that of the underlying original slate roof. The Panels installed at ground level are mounted horizontally and have no adverse visual impact.

The roof panels do not protrude above the ridge-line of the roof of the Function Suite, and therefore have no impact on the view available of the listed building behind it.

The panels face onto the hotel’s private car park, so in no way detract from public views of the listed building. The panels on the roof of the Function Suite may be visible from a small number of

windows of a few properties which lie to the south when trees are not in leaf. In WTC's opinion, however, it would be difficult to notice the existence of the solar panels unless the viewer focused on them, and therefore the panels have no significant impact on neighbours.

WTC therefore agrees with the applicant's contention (in the conclusion of the submitted Heritage Statement) that the panels will have a 'less than substantial harm upon this Grade II listed heritage asset and will not have any adverse effect upon the setting of neighbouring listed buildings or the conservation area'.

WTC's original note of support for an earlier application for Solar Panels referred to VALP policy C3. This refers to:

"Planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the following issues: ... c. the historic environment including designated and non designated assets and their settings "

WTC is satisfied that there is no unacceptable adverse impact arising from the proposed solar panels and therefore Policy C3 applies, encouraging the very type of development to which this application relates.

WTC has considered the proposal against Policy 13(B) of the recently made Winslow Neighbourhood Plan 2023-2033 and is entirely satisfied that it is consistent with the requirements of this carefully drafted policy. The delegated decision report for the previous application was wrong, therefore, to suggest otherwise.

The proposal is also consistent with the general principles of WTC's own Environmental Policy set out in paragraph 4.75 of the said Neighbourhood Plan.

WTC considers that the proposals meet the requirements of VALP policy BE1 which requires (in paragraph c):

a development proposal that causes less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use.

WTC's contention is that this requirement has been met by the applicant, and therefore the application is not contrary to Policy BE1.

In respect of VALP Policy BE2 it is hard to see how this application can be described as a "new development" (which in normal language would relate to something that has not previously existed rather than a modification of an existing building, which would be referred to as "development" in planning legislation). Even so, WTC does not accept that the application conflicts with the provisions of Policy BE2. In this case the public benefits relate both to the generation of additional carbon-neutral energy arising from the solar panels, and in the support the related savings in energy costs provide to the continuing viability of an important town centre hostelry in what are known to be very challenging economic circumstances for such businesses now and into the future. The continued viability of The Bell as a pub and hotel is important for not only its economic role within the local community, but also its role as a social meeting place – and as a business which can continue to maintain the important listed building it occupies as an historic asset for the town.

Paragraph 11 of the Delegated Decision in respect of the previous application (23/01595/APP) dismisses the significance of the arguments related to energy benefits. WTC believes that the argument presented failed to represent the benefits of the Solar Panels correctly.

- They generate new electricity which otherwise would have to come from other sources – and in so doing help to reduce demand for electricity generated by carbon-based sources. In this respect every solar panel yields a small but nevertheless important national benefit
- They provide a way for the owner to reduce the cost of energy consumed within the overall building – the cost of which has increased significantly in the past two years, with an inevitably adverse effect on the viability of the Hotel’s business
- Whilst it is unlikely that the panels for which consent is being sought would generate sufficient electricity to export any to the Grid – but where this is possible, then the hotel could achieve a direct financial benefit
- It should not be necessary for the applicant to present information about the viability of his business – in this case the applicant is seeking to provide a public and private benefit that will help to sustain his business in the town, which in turn means that the Hotel continues to provide facilities for local residents and businesses as well as visitors. If there is any doubt about this, the closure of many pubs within Winslow over past decades shows that their businesses are at risk, whilst the recent closure (for the second time in the past two years) of “The George” on the opposite corner of Market Square, facing “The Bell”, further reinforces this point. The viability of such operations is at best marginal – and therefore every little cost saving is a help.

The decision report on the previous application also references NPPF sections 12 and 16, and claims that the Solar Panels conflict with these provisions. In WTC’s view, this over-states the relevant provisions in NPPF in relation to “a development proposal that causes less than substantial harm to a designated heritage asset”.

CONCLUSIONS

Winslow Town Council strongly supports the applications for Solar Panels at The Bell Hotel in Winslow. In this note it has demonstrated that careful scrutiny of the proposals against all relevant planning policies and advice leads to the conclusion that the applications should be granted consent. This would be in line with the balance of the various considerations relevant to a proposal that will cause less than substantial harm to a designated heritage asset whilst generating social and commercial benefits for Winslow.’

CONSULTEE COMMENTS

Buckinghamshire Council Heritage Team - Objects

The application is unacceptable in heritage terms given it would result in harm to the appearance of the Grade II Listed Bell Hotel Public House and to the special character of Winslow Conservation Area. The proposal is not considered to be acceptable due to the resulting visual impact on the LB from the proposed new solar panels. This is because the slate roof would no longer be readable and the proposal introduces a new unsympathetic element to the building which detracts from its traditional construction and materiality. Although the location of the affected roof slope faces away from other nearby listed buildings and is unlikely to be visible from these buildings, the slope would be visible from within the CA and from the curtilage of the Bell Hotel. The proposal, due to the unsympathetic visual impact, would cause less than substantial harm to the significance of the designated heritage assets. The proposals due to the unsympathetic visual impact would not preserve the architectural interest of the listed building and therefore does not comply with sections 16/66 of the Act. The proposals due to the unsympathetic visual impact would not preserve the

character and appearance of the conservation area and therefore does not comply with section 72 of the Act. The application does not comply with the relevant heritage policy and therefore unless there are sufficient planning reasons, it should be refused for this reason.

Ward Cllr. John Chilver - Supports

'As one of the three Buckinghamshire Councillors for Winslow I request that this application is referred to the relevant planning committee in the event of anything other than officer support under the 3 member rule 3.3 of the Council Constitution on the following grounds: I agree fully with the representation made by Winslow Town Council that the application should be approved on a number of grounds including - there is no adverse visual impact - the solar panels are on the roof of a 1996 building with no impact on the adjacent listed building - there is no significant impact on neighbouring properties - support in principle for applications involving renewable energy, as per VALP policy C3 - no conflict with the current Winslow Neighbourhood Plan -the importance of maintaining a viable and vibrant town centre economy of which The Bell Hotel is a key and historic element. The same comments also apply to application ref 23/02515'.

REPRESENTATIONS

Representations neither for nor against the proposal have been received from the property owner of 7 and 9 Sheep Street raising the following summarised points:

- The Bell's beer garden has been moved to the front of the pub alongside Sheep Street opposite several residential properties. It is suggested that a condition is imposed to require the installation of a boundary hedge along Sheep Street to protect the residential amenity of residents.
- Suggest that the beer garden furniture now at the front of the pub be rearranged to safeguard Sheep Street residential amenity.

POLICIES AND GUIDANCE

National Guidance

- National Planning Policy Framework (NPPF) 2023
- Planning Practice Guidance (NPPG) – 'Renewable and low carbon energy'
- National Design Guide (NDG)
- National Planning Policy for Waste (NPPW)
- The Climate Change Act 2008 (as amended 2019) and Carbon Budget
- The Energy National Policy Statements

The Development Plan and Local Guidance

- Vale of Aylesbury Local Plan (VALP)- Adopted September 2021. Policies:
 - S1- Sustainable Development of Aylesbury Vale
 - S2- Spatial Strategy for Growth
 - S3- Settlement Hierarchy and Cohesive Development
 - BE1- Heritage Assets
 - BE2- Design of New Development
 - BE3- Protection of Amenity of Residents
 - C3-Renewable Energy
- Buckinghamshire Minerals and Waste Local Plan (BMWLP) (2019):
Policy 1 – The site is not within a mineral safeguarding area and therefore a mineral assessment is not required.
- Winslow Neighbourhood Plan (2023): Policies:

- 1- A spatial plan for the town
- 13- Environment and Heritage

- Buckinghamshire Climate Change Motion (July 2020)

EVALUATION

Principle of Development and Renewable Energy:

1. Policy S1 of the VALP (2021) seeks to ensure that development is located in the most sustainable locations. Policy S2 sets out the magnitude of growth and the spatial strategy for Aylesbury Vale focusing majority of development in strategic settlements, including Winslow. Policy S3 states the scale and distribution of development should accord with the settlement hierarchy set out in Table 2 of the VALP. The site is located within Winslow town centre which is a sustainable location and therefore, the proposal accords with the broad principles of Policies S1, S2 and S3 of the VALP.

2. With regard to Policy C3 of the VALP relating to 'Renewable Energy', this policy sets out that: "All development schemes should look to achieve greater efficiency in the use of natural resources. Planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the following issues:
 - a. landscape and biodiversity including designations, protected habitats and species
 - b. visual impacts on local landscapes
 - c. the historic environment including designated and non designated assets and their settings
 - d. the Green Belt, particularly visual impacts on openness
 - e. aviation activities
 - f. highways and access issues, and
 - g. residential amenity.The council will seek to ensure that all development schemes achieve greater efficiency in the use of natural resources, including measures to minimise energy use, improve water efficiency and promote waste minimisation and recycling. Developments should also minimise, reuse and recycle construction waste wherever possible."

3. The solar panels, for which permission is being sought retrospectively, would generate electricity which would provide some benefit as a result of providing electricity from renewable energy sources. Policy C3 of the VALP therefore encourages such proposals in principle, subject to a detailed assessment against the impacts of the proposal including against criteria a. to g. of Policy C3, as follows:
 - a. landscape and biodiversity including designations, protected habitats and species
 - b. visual impacts on local landscapes
 - c. the historic environment including designated and non designated assets and their settings
 - d. the Green Belt, particularly visual impacts on openness
 - e. aviation activities
 - f. highways and access issues, and
 - g. residential amenity.

With regards to criterion d. and e. of Policy C3, these are not considered of relevance to this application as the site is not within the green belt and given the scale of the development, the proposal would not give rise to issues with aviation activities. An assessment against the other criteria is undertaken in detail in the proceeding sections of this report.

Design, Character and impact upon the Listed Building and Winslow Conservation Area:

4. Paragraph 189 of the NPPF states that heritage assets are an irreplaceable resource and should be preserved in a manner appropriate to their significance. Paragraph 199 of the NPPF states 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.
5. VALP Policy BE1 states that all development should seek to conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible. Where a development proposal is likely to affect a designated heritage asset and/or its' setting negatively, the significance of the heritage asset must be fully assessed and supported in the submission of an application. The impact of the proposal must be assessed in proportion to the significance of the heritage asset and supported in the submission of an application. Heritage statements and/or archaeological evaluations will be required for any proposals related to or impacting on a heritage asset and/or possible archaeological site.
6. Policy BE2 of the Local Plan states that the development proposals should respect and complement the physical characteristics of the site and its surroundings including the scale and context of the site and its setting; the local distinctiveness and the vernacular character of the locality in terms of form, proportions, architectural detailing and materials; natural qualities and features of the area and public views and skylines.
7. Criteria c. of Policy C3 of the Vale of Aylesbury Local Plan sets out planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the historic environment including designated and non-designated assets and their settings.
8. Policy 13 of the Winslow Neighbourhood Plan (2023) states that development proposals that respect the historic characteristics of the town will be supported; those that cannot demonstrate this respect will not be supported.
9. Earlier applications for the installation of solar panels at the Bell were refused under application references 23/01595/APP, 23/01596/ALB, 21/03427/APP, 22/03016/APP, and 22/03017/ALB. The difference with the current application and the most recently refused scheme is the addition of the ground-mounted panels to the rear of the 1996 extension of the building. As with the earlier applications, the Council's Heritage Officer has been consulted on this planning application. Given there has been no change in the site circumstances (other than the addition of ground mounted panels) or significant changes in the thrust of policies since the previous applications were assessed, the assessment of the current proposal remains largely the same.
10. Winslow is a busy market town and the Conservation Area (CA) is characterised by similar re-fronted timber framed buildings offering a high degree of enclosure around its preserved and somewhat convoluted historic street patterns which often afford views of buildings (including the application building) from multiple aspects.
11. The Council's Heritage Team have outlined the Bell Hotel was listed in 1952 and is located on a prominent site in the historic core of the Winslow CA. At its core the building is a timber framed 17th century building, re-fronted in the 19th century with 19th century and later rear additions including the 1996 function room extension on which the solar panels are proposed to be fitted.

This extension has been constructed sympathetically in local brick under a slate roof and as it is attached to the main listed building. Although the function room is a relatively modern addition, it is covered by the same legislation, and the whole of The Bell Hotel Public House building is considered to be listed, not just the original part of the building.

12. As this application seeks permission retrospectively, the visual impact of the panels was apparent during the Planning Officer's site visit. It is acknowledged there are limited views available of the panels from the public realm. Despite this, both the roof and ground-mounted panels are clearly visible from within the Conservation Area itself, mainly from within the car park of The Bell and also when viewed from the adjacent lane and properties to the east (Ivy Cottages).
13. The installation of the solar panels is considered to result in an unacceptable visual impact on the setting of the Bell Hotel Public House and detracts from the appearance of the Grade II Listed Building. This is due to the slate roof no longer being readable, and the proposal introducing a new unsympathetic element to and adjacent to the building which detracts from its traditional construction and materiality. Although the location of the affected roof slope faces away from other nearby listed buildings and is not readily visible from these buildings, the slope is visible from within the Conservation Area and from the curtilage of The Bell Hotel. The proposal therefore results in less than substantial harm to the significance of the Grade II Listed Building and the character and appearance of Winslow Conservation Area. The development is not considered to harm the settings of the other nearby Listed Buildings (numbers 3 & 5 Market Square, Grade II Listed numbers 2, 3 & 5 Bell Walk and the Grade II* Listed Baptist Chapel.).
14. As per para 202 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of the designated heritage assets. This harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
15. It is noted that Winslow Town Council have stated the development would reduce energy costs for the business which would support its viability, however, this is considered a private benefit rather than public. Moreover, there has been no justification or evidence provided from the applicant/agent which demonstrates the premises cannot continue to function as a pub and hotel due to rising energy costs or the financial support the provision of solar panels provides for in terms of easing energy costs.
16. Although not confirmed in the submitted Design and Access or Heritage Statement, the applicant/agent has stated in a separate email to the Officer that the solar panels serve the Bell Hotel and would also feed any surplus electricity into the National Grid. This is a public benefit of the scheme. In addition to this, the use of a renewable energy source itself is a positive as it would contribute to mitigate the effects of climate change. Thus, the proposal would result in some public benefits. However, the amount of electricity that would likely be fed into the National Grid has not been specified and given the scale of the development, it is considered this would be a relatively minor contribution. Taking this into account, it is considered the public benefits would be a relatively small contribution of electricity feeding into the National Grid such to contribute towards mitigating the effects of climate change and these public benefits would not outweigh the harm caused to the significance and setting of the Listed Building and to the character and appearance of Winslow Conservation Area.
17. Overall, the proposal is therefore considered to be contrary to Policies BE1, BE2 and criterion c. of Policy C3 of the VALP, Policy 13 of the Winslow Neighbourhood Plan, Sections 12 and 16 of

the NPPF and section 16/66 and section 72 of The Planning (Listed Building and Conservation Areas) Act 1990.

18. Great weight has been applied to the consideration of this application and the impact it would have on the designated heritage assets. As such, it is considered that the local authority has discharged their statutory duty to pay special regard to the preservation of the Listed Building and conservation area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on landscape:

19. Policy NE4 of the Local Plan states that development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. Amongst other things, the policy outlines that development proposals should minimise the impact on visual amenity.
20. Criterion b. of VALP policy C3 sets out planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on local landscapes.
21. As the application site is within a settlement and not the natural environment it is considered the proposal would have no adverse impacts to the landscape. As such, the proposal complies with policy NE4 of the VALP and criterion b. of policy C3.

Transport matters and parking:

22. Given the nature and type of development proposed, including the retrospective nature of the application, there will be no impact on highway safety or parking matters. The proposal would therefore comply with criterion f. of VALP Policy C3.

Amenity of existing and future residents:

23. Policy BE3 of the Local Plan refers to the protection of amenities throughout the district. It states that the Council would not grant permission where proposed development would unreasonably harm any aspect of the amenity of existing residents and would not achieve a satisfactory level of amenity for future residents. Criteria g. of Policy C3 of the Vale of Aylesbury Local Plan sets out planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on residential amenity.
24. Given the nature and type of development, this would not have any significant detrimental impact on neighbouring amenities in terms of overlooking impact, overbearing impact or loss of light. In addition, due to the design of the solar panels, it is not considered these give rise to undue glint or glare. Thus, no objection is raised with regards to Policy BE3 or criterion g. of Policy C3 of the VALP.
25. It is noted a third-party representation has been received from a resident of Sheep Street, which states the patio area of the pub has been relocated from the rear of the property to the front of the property along Sheep Street, impacting the residential amenity of nearby residents. The property owner suggests mitigating the impacts through conditioning a boundary wall/hedge along the front boundary of the property and rearranging the patio furniture. Relocating the outdoor seating of the public house does not form part of this proposal. As such, the points raised cannot be taken into account as part of consideration of the application proposal.

Ecology (Biodiversity and Geodiversity):

26. Policy NE1 of the VALP seeks to protect and enhance the biodiversity and geodiversity of Aylesbury Vale and acknowledges that planning decisions should maximise the benefits to biodiversity within the context of sustainable development.
27. Criteria a. of Policy C3 of the Vale of Aylesbury Local Plan sets out planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, landscape and biodiversity including designations, protected habitats and species.
28. Given the nature and type of development proposed, including the retrospective nature of the application, there would be no impact upon protected species, and it is not considered reasonable or necessary to secure a net gain in biodiversity.

Conclusion:

29. The introduction of solar panels on the roof slope and to the patio area of the Grade II Listed Public House results in an unsympathetic visual impact, as the slate roof is no longer readable, and the panels introduce a new element to, and adjacent to, the building which detracts from its traditional construction and materiality. The solar panels therefore result in less than substantial harm to the setting of the Grade II Listed Building and to the character and appearance of the Conservation Area which would not be outweighed by the limited public benefit from the proposal.
 30. The proposal is therefore contrary to Section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990; Policy 13 of the Winslow Neighbourhood Plan; Policies C3 (criterion c.), BE1 and BE2 of the Vale of Aylesbury Local Plan, Policy 13 of the Winslow Neighbourhood Plan (2023) and Sections 12 and 16 of the National Planning Policy Framework.
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Working with the Applicant / Agent:

In accordance with paragraphs 38 and 39 of the NPPF, Buckinghamshire Council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance, the application follows on from the refusal of previous applications for the same scheme and the concerns previously raised have not been overcome. The solar panels have been installed and permission is now being sought retrospectively. As such, with the exception of seeking some additional points of clarity, Officers have proceeded to assess the application as submitted and refer the application to the North Area Planning Committee for consideration.

The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998 and Equalities Act.

Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

Equalities Act 2010

Local Planning Authorities, when making decisions, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

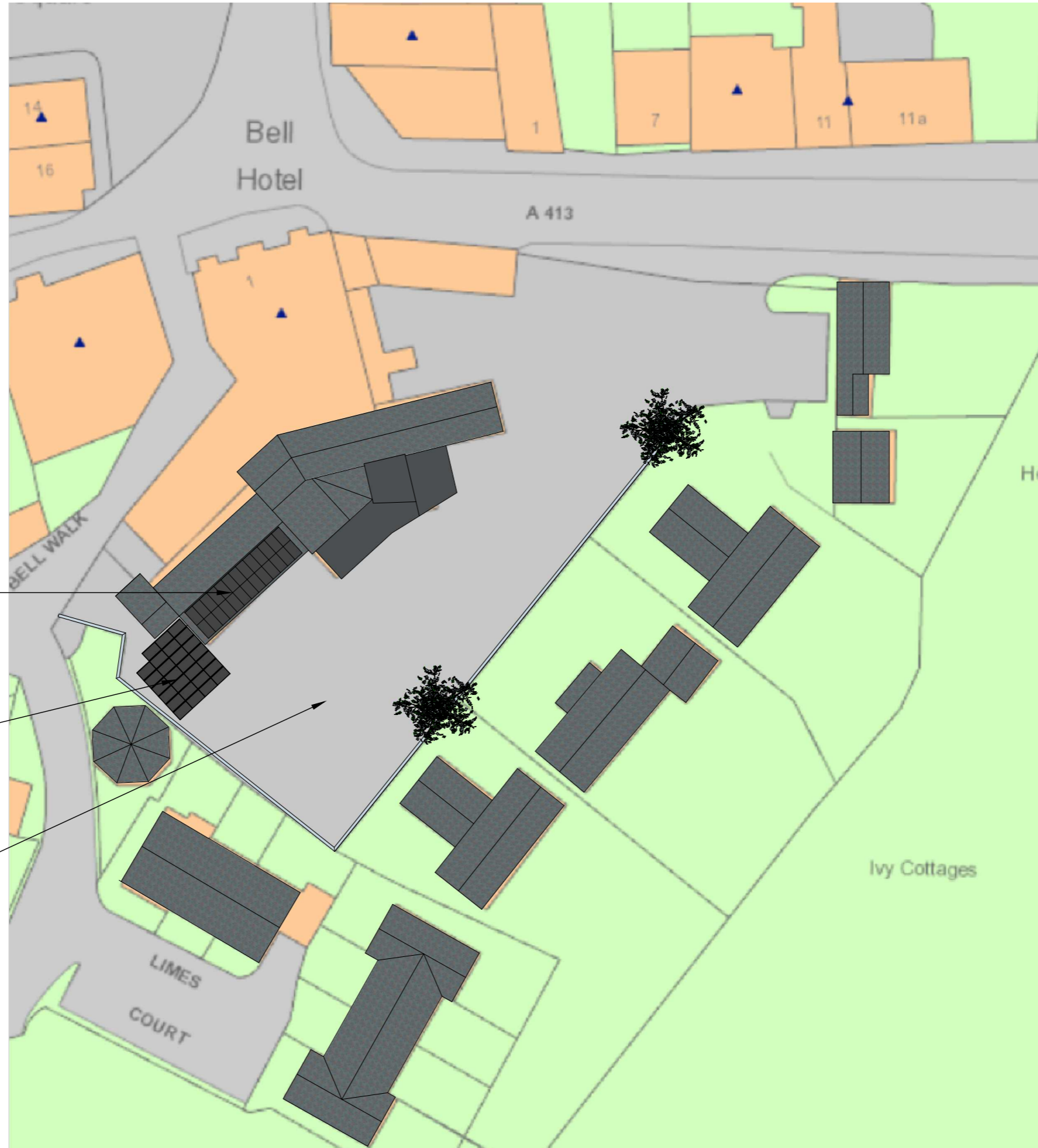
Recommendation

Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that planning permission be **REFUSED** for the following reason:

1. The introduction of solar panels on the roof slope of the Grade II Listed Bell Hotel Public House and to the adjacent patio area, results in an unsympathetic visual impact as the slate roof is no longer readable, and the proposal introduces a new element to, and adjacent to, the building which detracts from its traditional construction and materiality. This results in less than substantial harm to the significance and setting of the Grade II Listed Building and to the character and appearance of the Conservation Area. This harm would not be outweighed by the limited public benefit of the proposal. The proposal is therefore contrary to Section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policy 13 of the Winslow Neighbourhood Plan, Policies BE1, BE2 and C3 of the Vale of Aylesbury Local Plan and Sections 12 and 16 of the National Planning Policy Framework.



The Bell Hotel Winslow - Solar Panels - Block Plan



Solar Panels

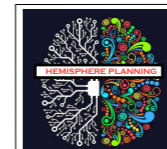
Solar panels (Ground)

Carparking Area

1:500@A3
Dwg.PH/PM/002/B
P.Hems



Scale 1:500



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