

**Planning Committee:** 01 May 2012  
**Application No:** ENF 102/12/12

**Item Number:** 23

**Case Officer:** Phillip Hopkinson  
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**Leycester Cottage, Leycester Place, Warwick, CV34 4BX**

Unauthorised installation of solar panels on front roof slope of a Listed Building.  
Property Owner(s) Mr & Mrs Cload

This matter is being brought before Committee in order to request that enforcement action be authorised.

**BACKGROUND**

On 21<sup>st</sup> February 2012 it was brought to the attention of the Enforcement Section that solar panels had been installed on the front facing roof slope of Leycester Cottage, Leycester Place, Warwick, without the prior consent of the local planning authority. The property is a Grade II Listed Building and is prominently located within the Warwick Conservation Area.

The owner of the property has been contacted, by letter to advise them that the installation is unauthorised and constitutes a breach of planning control. They were further advised that given the impact of the panels on the appearance and historic integrity of the Listed Building the submission of a retrospective application to retain the unauthorised panels would not be appropriate as it would not be supported.

A period of two weeks was allowed for the submission of a timescale for removal of the panels which has not been received, and in the absence of any communication from the owner of the property formal enforcement action is now considered appropriate.

**RELEVANT POLICIES**

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

This property has been the subject of three planning applications and listed building consent applications since 1986.

W86/0599 & W86/0599LB for the erection of a dwelling. REFUSED 14<sup>th</sup> October 1986, ALLOWED on Appeal 1<sup>st</sup> October 1987.

W86/0600 & W86/0600LB for demolition and rebuilding of front and side elevation, demolish porch and outbuildings alteration to elevations including pitched roofs to dormer windows. GRANTED 29<sup>th</sup> September 1986.

W88/0917LB for reconstruction of front elevation, erection of extensions, conservatory and double garage. GRANTED 9<sup>th</sup> August 1988.

There has been no application made or consent granted to install solar panels on the roof slopes.

## **KEY ISSUES**

### **The Site and its Location**

The property is a Grade II Listed Building within the Warwick Conservation Area, adjacent to the junction of Leicester Place with Castle Lane. The building is predominately early 18<sup>th</sup> Century, of single storey form with attic rooms and gabled dormers, and is constructed of local brick with steeply pitched tiled roof. The building also incorporates some elements of 17<sup>th</sup> Century (or earlier) masonry at ground floor level, and forms part of a group of historic building which provide a setting for the nearby West Gate and Lord Leicester Hospital and many other significant buildings.

### **Assessment**

Policy DAP4 seeks to protect the special architectural, historic interest, integrity and setting of a Listed Building and will not permit any development which will adversely affect the historic character or importance of a Listed Building.

The installation of these solar panels (eight in total) on the visually prominent front elevation of this important historic building is considered inappropriate and does not respect the character or the integrity of this Listed Building or its setting, and detracts considerably from its appearance. The visual contrast between the panels and the traditional rosemary tile roof is considered particularly harmful.

Whilst plan policy, DP13, encourages and supports the use of renewable energy sources, this general presumption in support of such development must be weighed against the local planning authority's statutory obligation to protect historically important buildings, and in this particular instance it is not considered that the environmental benefits resulting from the installation outweigh the harm caused.

### **Justification for Enforcement Action**

In view of the significant adverse impact on the Listed Building the service of a Listed Building Enforcement Notice is now considered appropriate to secure the removal of the unauthorised development.

**RECOMMENDATION**

That enforcement action be authorised to ensure the removal of the solar panels and the restoration of the roof to its previous condition. The period of compliance to be two months.

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