

Planning Committee
23 May 2024

Planning Application
Number: 24/00419/FUL

24/00419/FUL- Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UD

Application Number	24/00419/FUL
Application Type	Full Planning Permission (Major)
Address	Bourne Hall, Spring Street, Ewell KT17 1UD
Ward	Ewell Village
Proposal	Install Solar PV to the south facing section of the perimeter flat roof.
Expiry Date	12 June 2024
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Council is the applicant/Major Development.
Case Officer	George Smale, Planning Officer
Contact Officer	Simon Taylor, Interim Manager
Plans, Documents and Submissions	Available here: Bourne Hall
Glossary of Terms	Found at the following link: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. This application is before the committee as the site is located on council owned land and the applicant is a representative on behalf of the council. The proposal is also a major application as the site area measures more than 1 hectare. It is recommended for approval.
- 1.2. This is a proposal for the installation of a Photovoltaic (PV) Solar Panel system on the existing perimeter flat roof of the Grade II Listed Bourne Hall. A Listed Building Consent (app ref: 24/00064/LBA) accompanies this application as a separate consent which is also recommended for approval.
- 1.3. The site is owned by the council and enables several leisure, parkland and open space, and community uses. The site is also located in the Ewell Village Conservation Area. Bourne Hall comprises of a 1960s library, social centre, and museum with modernist architectural merit.
- 1.4. There is an extensive planning history to the wider site and parkland. However, the only recent history for the hall itself has involved permitted works to doors and light fittings (under consideration).
- 1.5. No neighbour submissions have been received during the consultation phase of the application.
- 1.6. The Council's Conservation Officer is supportive of the proposals and officers are satisfied that the development will result in less than substantial harm to the designated heritage asset. The environmental, social, and economic benefits of the scheme outweigh such harm.
- 1.7. The promotion of sustainable energy consumption patterns will improve the overall operational function of the building which in turn will have a direct positive benefit on social infrastructure for local community use. It will also have a significant contribution in decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions.
- 1.8. The development does not require works or alterations to the external roof surface and therefore is not foreseen to adversely impact the protected species of bats. A precautionary informative has been added to the decision notice to advise if protected species are found during the works.
- 1.9. As such, the recommendation before the committee is that the application should be approved subject to conditions.

PROPOSAL

2. Description of Proposal

2.1. The proposal involves:

- The installation of a Photovoltaic Solar System and ancillary equipment to the south facing section of the perimeter flat roof of Bourne Hall.
- A mounting system of 120 solar panels stabilised by concrete ballistic weights (ie not physically fixed to the roof).

SITE

3. Description

- 3.1. Bourne Hall is a large dome-shaped building of a distinctive and striking architectural style, serving as Library and Social Centre since 1970. The building is Grade II Listed, council owned, and centred within Bourne Hall Park. The entire site has important local community value.
- 3.2. The exterior of the building is a curving volume with a continuous band of aluminium windows at first and second floor level. The upper floor slopes inward and the structure is surmounted by a broad copper dome, resembling the appearance of a flying saucer. A circular layout is planned within the building that expands over three level which includes a main hall, open-plan library, mezzanine museum, and studio spaces.
- 3.3. The surrounding area comprises a large open parkland with a number of large redwood trees, green spaces, and water courses. The entire site area is located in the Ewell Village Conservation Area, a historic area encompassing Bourne Hall, the commercial village centre, and outlying residential areas.
- 3.4. The site is accessed by vehicle from spring street, and pedestrian routes can be found through the park to the north and from the High Street to the East. The nearest residential properties are located on the western side of Spring Street, approximately 36m from the outer edge of Bourne Hall.

4. Constraints

- Built Up Area
- Grade II Listed Building
- Ewell Village Conservation Area
- Article 4 Directive
- Locally Listed Building
- SSSI Impact Risk Zones

- Great Crested Newt Consultation Zone
- Tree Inspections
- Source Protection Zones

5. History

5.1. The following are the more recent applications on the site.

App No.	Description	Status
24/00066/LBA	Replacement of 13 internal fire doors to meet BS guidelines.	Pending decision
24/00064/LBA	Installation of Solar PV to the south facing section of the perimeter flat roof.	Pending decision
18/01247/LBA	Replacement of 6 internal doors.	Permitted 15 February 2019
17/00445/LBA	Replacement of existing light fittings with LED light fittings in Museum and Library areas	Permitted 15 September 2017

CONSULTATIONS

Consultee	Comments
Internal Consultees	
Conservation Officer	No objection subject to a condition.
Ecology Officer	No comments received.
External Consultees	
Historic England	No advice offered, but suggested the council seek the views of their own specialist conservation adviser.
Public Consultation	
Neighbours	No comments were received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

6. Legislation and Regulations

- 6.1. Town and Country Planning Act 1990
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990

7. Planning Policy

7.1. National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-Making
- Section 12: Achieving Well-Designed and Beautiful Places

- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15: Conserving and Enhancing the Natural Environment
- Section 16: Conserving and Enhancing the Historic Environment

7.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS13: Community, Cultural and Built Sports Facilities

7.3. Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM4: Biodiversity and New Development
- Policy DM8: Heritage Assets
- Policy DM10: Design Requirements for New Developments
- Policy DM34: New Social Infrastructure

8. Supporting Guidance

8.1. National Planning Policy Guidance (NPPG)

- Biodiversity Net Gain (draft)
- Climate Change
- Determining a Planning Application
- Historic Environment
- Natural Environment
- Permission in Principle
- Renewable and Low Carbon Energy
- Use of Planning Conditions

8.2. Supplementary Planning Documents and Guidance

- Sustainable Design Supplementary Planning Document 2016

8.3. Other Documentation

- Ewell Village Character Appraisal
- Historic England Official List

PLANNING ASSESSMENT

9. Principle of Development

9.1. Built-up Area

- 9.2. The site is within the built-up area of Epsom and the principle of development is acceptable in terms of the principles, objectives, and policies in the CS, the DMPD and supporting guidance and documents.

9.3. Social Infrastructure

- 9.4. Policy DM34 of the DMPD allows new or extended social infrastructure to address identified need, where it is practical and flexible, accessibly located, of high-quality design with inclusive access, absent of neighbour amenity impacts and satisfies highways requirements.
- 9.5. Policy DM34 of the DMPD allows for social infrastructure development where there is identified need, it is provided in a multi-use, well designed and flexible building with inclusive access to the building, good access to public transport, adequate parking provision and no adverse impact on residential character and amenity.
- 9.6. The existing building of Bourne Hall is a high energy user, consuming over 180,000kWh's of electricity annually, which is recognised as the second highest figure for council owned operational buildings in the Borough. The proposal of a large-scale PV Solar system on the existing building will allow the council to generate its own electricity, contributing to sustainable development, reducing energy costs, and securing the longevity of future energy consumption patterns.
- 9.7. The council have identified the need of installing a PV solar system, improving the operational function of the building and its energy usage. This, in turn, will have a positive net impact on the social infrastructure provision within the Borough. As such, the proposal is acceptable in principle, compliant with Policy DM34 of the DMPD.

10. Heritage and Conservation

- 10.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 10.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 10.3. Paragraphs 203-208 of the NPPF 2023 requires consideration of the harm to the significance of a designated heritage asset. Paragraph 195 says heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.
- 10.4. Paragraph 206 requires clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits.
- 10.5. Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.

- 10.6. Bourne Hall has been Grade II Listed since 30 April 2015. The principal justifications for the listing of the building, taken from the official Historic England Listing, are:
- Bourne Hall Library and Social Centre of 1967-1970 A. G. Sheppard Fidler and Associates
 - Architectural interest: a striking design, notable for its space-age flair and the generous, top-lit principal interior space.
 - Plan form: the circular layout is well-organised, legible, and flexible.
 - Historic interest: as an ambitious example of the expansion of the library service and the integration of community facilities and disabled access.
- 10.7. Bourne Hall is located within the Ewell Village Conservation Area. In the Character and Management Appraisal Document (2009), Bourne Hall, a 1960s building of some merit, and its parkland, is characterised as an important local amenity. Surrounding trees, water features and green spaces give this part of the conservation area a more rural quality despite the busy traffic along Kingston Road.
- 10.8. The EEBC Conservation Officer has been consulted on the application and has issued the following response:
- 10.9. “The roof forms of Bourne Hall form an integral part of the historical and architectural significance of Listed Asset. The original form and materials have been retained and have not been extended or altered since construction.
- 10.10. On the main building, a central clear dome is surrounded by a ring of concrete posts resembling a crown. Around this, a copper clad roof gently curves over the remainder of the circular form of the building’s first floor and is separated from the ground floor by an array of windows. The ground floor rooms extend out beyond the line of the first floor and are covered by flat roofs that are not visible from the ground. These perimeter roofs facing south/south-westwards are the proposed location for the solar panels as displayed on the submitted block plan.
- 10.11. The Design and Access Statement states that the proposed mounted solar panels will not be fixed to the roof but will be weighed down with concrete ballistic weights.
- 10.12. Each panel measures 1678mm long and 250mm high at the upper end. The solar panels will be angled towards the south meaning their lowest point will be nearest the edge of the southern roof. A panel structure was put onto the roof, close to the southern edge, as a mock-up for discussions prior to this application and it could not be seen from the ground level.

- 10.13. Following further discussions with the applicant, some of the panels on the western side of the perimeter roof were requested to be set further away from the edge, so they could also not be seen at ground level. A revised block plan showing the position of the solar panels was submitted on 30 April 2024 to demonstrate this.
- 10.14. Cabling will be clipped to existing cables and follow existing routes into the building by the rear exit where the existing electrical rooms are situated. No issues are raised in this regard.”
- 10.15. As a substantial number of solar panels are proposed to sit on the existing roof surface, there will be some visual impact of the proposals both from aerial view and from first floor level. The panels will be partially observable from the mezzanine first-floor museum from within Bourne Hall itself.
- 10.16. However, as the Solar PV system is not visible from any public vantage point outside of Bourne Hall and is well proportioned across the roof slope, the development will result in less than substantial harm to the Grade II Listed Asset and to the Ewell Village Conservation Area.
- 10.17. It is therefore necessary to weigh the scheme against the public benefits of the proposal which include a significant infrastructure contribution to decarbonise the operations of Bourne Hall, the promotion of sustainable energy consumption patterns to benefit the local community, and ensuring cost-effective electricity expenditure, allowing redistribution into more appropriate areas.
- 10.18. As such, the significant environmental impact, modest social, and minor economic impacts of the proposal would outweigh the less than substantial harm to the Grade II Listed Asset and Ewell Village Conservation Area, and the development is acceptable in this regard.

11. Design and Character

- 11.1. Paragraphs 129, 135 and 139 of the NPPF 2023 refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.
- 11.2. The submitted block plans displays the 120 individual solar panels on the western and southern side of the perimeter flat roof. The panels are well-proportioned to one another and do not extend further than the outer edge of the roof. The solar system will not be visible from the streetscene or the

immediate vantage points within the site. There are also no proposed works or alterations to the existing roof.

- 11.3. As such, there are no design or visual amenity concerns from the proposed development.

12. Environmental Sustainability

- 12.1. On 23 July 2019, the Council committed to tackling Climate Change and addressing Epsom and Ewell Borough Council carbon emissions. Policy CS6 of the CS stipulates that development should incorporate sustainable development and reduce, or have a neutral impact upon, pollution and climate change. This includes incorporation of renewable energy.
- 12.2. The Design and Access Statement identifies that Bourne Hall is currently one of the Council's highest energy consuming operational assets. The building consumes over 180,000 kWh's of electricity annually, the equivalent of 36 tonnes of carbon dioxide emissions, a 24% share of the Council's direct emissions.
- 12.3. One of the actions of Epsom and Ewell's Climate Action Plan, agreed by full council in 2020, is to install PV solar systems and solar storage on Council owned operational assets and land wherever viable. This is a strong step for the Council to decarbonise the energy usage of all existing council-owned buildings.
- 12.4. The proposal involves the delivery of a 120 panel PV solar system, capable of generating 385 watts per panel. The proposal also includes ancillary storage and battery provision in the existing internal electrical rooms.
- 12.5. The proposed development would have a significant contribution in decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions. This outcome of the proposal is given significant weight in the planning balance.

13. Neighbour Amenity

- 13.1. Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 185 of the NPPF and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 13.2. The side flank of Bourne Hall is located at least 36m away from the nearest neighbouring residential property across Spring Street. Landscape screening also bounds much the site to the west and the south. As such, it is not foreseen the proposal will result in undue harm to the amenities of neighbouring occupiers, primarily in relation to glare.

14. Ecology and Biodiversity

14.1. Ecological Impact

- 14.2. Paragraphs 180 and 186 of the NPPF 2023, Policy CS3 of the CS and Policy DM4 of the DMPD require the conservation and enhancement of on-site biodiversity, with minimisation of impacts and the provision of mitigation measures. The duty of care extends to Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 to protect species identified under Schedule 5 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.
- 14.3. The site is within a SSSI Impact Risk Zone Area. Given the surrounding presence of a heavily wooded and green environment, the existing building may host roosting opportunities for the protected species of bats.
- 14.4. However, the proposed 120 solar panels will be stabilised by concrete ballistic weights and do not require removal or alteration of the roof existing roof surface. The Ecology Officer has been consulted and has not provided comment. As such, there is no foreseen harm to the protected species of bats. An informative will be added to the decision notice to advise the applicant if protected species are found during the works.

14.5. Biodiversity Net Gain

- 14.6. Schedule 7A of the Town and Country Planning Act 1990 and Section 180 of the NPPF require delivery of biodiversity net gain (BNG) of 10%, including by establishing coherent ecological networks that are more resilient to current and future pressures with the overall intention to deliver a more or better-quality natural habitat than there was before development.
- 14.7. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.
- 14.8. The 'Biodiversity net gain: exempt developments' guidance from the Department for Environment, Food, & Rural Affairs and the Biodiversity Gain Requirements (Exemptions) Regulations 2024 sets out the developments which fall below the threshold to comply mandatorily with the Biodiversity net-gain requirement.
- 14.9. The De minimis exemption applies when the development does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat. A habitat is impacted where the habitat is lost or

degraded such that there is a decrease in biodiversity value of that habitat.

- 14.10. The proposed development is to be mounted on the existing perimeter roof surface. The roof surface will not be degraded, removed, altered, or lost, and therefore there will be a negligible impact on the biodiversity value of the habitat. As such, the De minimis exemption is valid in this instance and the biodiversity gain planning condition does not apply in relation to planning permission.

15. Accessibility and Equality

- 15.1. The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no significant adverse impacts as a result of the development.

16. Community Infrastructure Levy

- 16.1. The application is not liable for CIL payments.

CONCLUSION

17. Planning Balance

- 17.1. Section 2 of the NPPF has an underlying presumption in favour of sustainable development which is carried through to the Development Plan. Policy CS1 of the CS expects development to contribute positively to the social, economic, and environmental improvements in achieving sustainable development whilst protecting and enhancing the natural and built environment.
- 17.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 17.3. Heritage Considerations**
- 17.4. The proposal would result in less than substantial harm to the Grade II Listed Building and Ewell Village Conservation area, but this harm is outweighed by the significant public benefits of the development.

17.5. Economic Considerations

17.6. The proposal represents a cost-effective measure to offset existing electricity expenditure, allowing redistribution into more appropriate areas. It also has broader economic benefits associated with the wider environmental improvements. These benefits are afforded minor weight.

17.7. Social Considerations

17.8. The promotion of sustainable development and energy consumption patterns within an existing council asset will have a direct impact on improving and securing energy usage within the building. This, in turn, will improve the functionality of the social infrastructure for the local community and is therefore a benefit given modest weight in the planning balance.

17.9. Environmental Considerations

17.10. The proposed development will result in a significant contribution to decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions. This outcome of the proposal is given significant weight in the planning balance.

17.11. The Conservation Officer is satisfied that the proposed PV solar system will not result in harm or loss to the Grade II Listed Bourne Hall. Moreover, the proposal will not result in harm to the character of the Ewell Village Conservation Area.

17.12. Officers are satisfied that the development will result in negligible harm on the protected species of bats and the biodiversity planning condition does not apply given that the exemption criteria has been met.

17.13. Conclusion

17.14. Officers' recommendation before the committee is to approve the application subject to conditions.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives:

Conditions

1) Timescale

The development hereby permitted shall be commenced within three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) **Approved Plans**

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plans numbered below and received by the local planning authority.

- A200/BH/001;
- Bourne Hall – SOLAR PV Side Elevation dated 11/01/2024;
- Bourne Hall – SOLAR PV BLOCK PLAN dated 30/04/2024;
- Location plan;
- Fact sheet for Tiger Neo N-type 54HL4R-(V) 425–445-Watt Mono-Facial Module;
- Fact sheet – SunMount. The modular mounting system for all types of flat roof;
- Solar PV Method Statement from Titan Eco.

Reason: For avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and to ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

3) **No Longer in Use**

The development as approved shall be removed no longer than one month after the use and operations of the PV Solar Panel system ceases.

Reason: To safeguard the special architectural and historic interest of the listed building and character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

Informatives

1) **Positive and Proactive Discussion**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2) **Conservation of the Listed Buildings**

You are reminded that all works to a listed building must be carried out with the utmost care and to the highest standards of quality and workmanship. Any damage

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to the listed building shall be immediately made good using materials to match the originals. Unauthorised works that harm the listed building constitute a criminal offence and will be liable to fines of up to £20,000 per offence.

3) Protected Species

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.