

Appeal Decision

Site visit made on 7 February 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9th February 2017

Appeal Ref: APP/L1765/D/16/3164358

Pembroke Cottage, Bishops Sutton Road, Alresford SO24 0AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Arscott against the decision of Winchester City Council.
 - The application, Ref. 16/01642/FUL, dated 14 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is the relocation of pre-existing solar PV panels following loft conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of solar panels on the character and appearance of the host dwelling and its surroundings.

Reasons

3. I have read all the documents associated with this appeal and fully understand the circumstances under which the panels were relocated in their current position and the very limited alternatives available. Notwithstanding that these factors mean that the relocation is far less straightforward than if their siting had been newly carried out on an existing roof, this does not affect the simplicity of the main issue set out in paragraph 2 above as the basis for my Decision.
 4. In addressing the issue there are two questions to be considered: (i) whether the visibility of the solar panels from the public realm, mainly Bishops Sutton Road and Mill Lane, would be sufficient to justify the Council's refusal of permission as a harmful conflict with local and national policy, and (ii) if so, whether the submissions in the Design and Access Statement and the Grounds of Appeal are material considerations of sufficient weight to outweigh the Council's decision.
 5. On the first point, the panels project about 400mm above the ridge line, which as a proportion of the building's height is only a small amount. However, with their position on the flat roof they appear as an incongruous feature to which the eye is drawn. The perception is one of a clutter of the roof and without an obvious appearance as solar panels, which are normally seen as flush with the
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roof, it is an example of why paragraph A.1 (b) of Class A of Part 14 of the GPDO precludes permitted development.

6. Furthermore, the panels can be clearly seen in all views of the roof from the public realm. The officer's report emphasises that the panels are prominent when driving along the road in either direction, but particularly when travelling from the Alresford direction. I agree with this but when drivers are emerging from Mill Lane or in the case of pedestrians walking past the property they are seen in a row along the full length of the ridge and are even more noticeable. I note the appellant's point that the previous location on the rear roof slope had a greater visual impact. However, this view was not available other than on private land, whilst solar panels flush with the roof slope are generally regarded as a more conventional and acceptable method of installation. In short, I do not accept the appellant's view that the Council has overstated the visual impact of the panels.
7. For the appellant, it is also argued that the sustainability credentials of the panels in terms of them being an example of the energy efficiency are promoted in local and national policy. I do not dispute this but I do not regard this as a justification for any development that is incongruous and an example of poor design. In this context, reference is made to other solar panel installations but other than Southwood House, Main Road, Itchen Abbas I do not consider these to be comparable as regards both form and context.
8. As regards Southwood House, this is positioned on a straight stretch of road and the property is set well back into the large garden, and because of these factors the panels may well be less eye catching to passers-by than at Pembroke Cottage. That said, I accept that ostensibly this is an inconsistency, but without knowing the full planning circumstances of that case it would be wrong for me to jump to any conclusions. This is a matter for the appellant to raise with the Council, as even if the Local Planning Authority has directly or indirectly sanctioned that installation, it is not an example that I would wish to follow.
9. Overall, I conclude that the retention of the solar panels would be harmful to the character and appearance of the host dwelling, and insofar as they can be seen from Bishops Sutton Road and other public vantage points, also harmful to its rural surroundings. This would be in conflict with Policy DP.3 of the Winchester District Local Plan Review 2006; Policies DM15 & DM22 of the emerging Winchester District Local Plan Part 2; Sections 4.42 & 8.32 of the Council's 'High Quality Places' Supplementary Planning Document 2015, and Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012.
10. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR