
Appeal Decision

Site visit made on 30 July 2019

by K Stephens BSc (Hons), MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/A1910/D/19/3230776

3 Hastoe Farm Barns, Longcroft, Browns Lane, Hastoe HP23 6QD

- 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 Dr Dina Gray against the decision of Dacorum Borough Council.
 - The application Ref 4/00394/19/FHA, dated 13 February 2019, was refused by notice dated 2 May 2019.
 - The development proposed is described as 'The placement of 12 solar panels on a roof that cannot be seen from the highway. The solar panels will only be visible to a neighbour from his garden and they will only overlook his driveway.'
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Decision

1. The appeal is allowed and planning permission is granted for the installation of 12 solar panels to the roof at 3 Hastoe Farm Barns, Longcroft, Browns Lane, Hastoe HP23 6QD in accordance with the terms of the application Ref 4/00394/19/FHA, dated 13 February 2019 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location plan, Proposed elevation (showing 2m high wooden fence), proposed elevation (without fence) and detailed solar panel specification plan.

Procedural Matters

2. In my decision I have used the description of the proposal from the Council's decision notice. It adequately and simply describes the proposed development instead of the more detailed description in the banner heading above, which is taken from the application form.
3. The application form names the appellants as Mr and Mrs Gray, whilst the appeal form names Dr Dina Gray. Following clarification, Mrs Gray and Dr Dina Gray are confirmed as the same person.
4. The site is in the Green Belt but the Council has not raised the issue that the development is not inappropriate and the Council has not refused on Green Belt reasons. From the information before me I have no reason to take a different view. The proposed alterations would comply with paragraph 1.45c) of the National Planning Policy Framework (the 'Framework') as an exception.

5. There is also an error with reference to Core Strategy (CS) Policy CS6 in the refusal reason. This policy relates to 'Selected Small Villages in the Green Belt'. As the appeal site is not located within one of the named villages and the policy text the Council quotes does not come from this policy, is not directly relevant to the main issue.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the rural area and the Chilterns Area of Outstanding Natural Beauty.

Reasons

7. The appeal property is one of a number of dwellings converted from a range of brick and tile farm buildings. The group of buildings are situated in a countryside location on the corner of Browns Lane and Gadmore Lane near the village of Hastoe. The appeal site is located within the Green Belt and within the western fringe of The Chilterns Area of Outstanding Natural Beauty (AONB). A characteristic feature of the ANOB and its chalk hills are its historic farm buildings and the consistent use of materials in its vernacular architecture.
8. Browns Lane is a public byway and passes the end of the appeal property. Beyond it a signposted public footpath leads off Browns Lane to cross a field. From the various sign posts I saw on my visit, there are a network of footpaths and trails passing close to the appeal site indicating to me the area is popular with walkers and cyclists.
9. The proposal is to install 12 solar panels on part of the rear roof slope between two protruding gables. The solar panels would be arranged in two rows, one above the other, with the top row longer than the bottom row forming a fat 'T' shape. According to the submitted plans, the top row would measure approximately 6.9m in length and the lower row 4.9m. The two rows combined would extend approximately 3.3m down the roof slope. The roof slope on which the solar panels would be sited, faces a tall close boarded timber boundary fence along the boundary with the adjacent property, 2 Dove Cottage, and its driveway.
10. The roof slope is at right angles to Browns Lane and does not present a single uninterrupted roof slope to it due to the protruding gables. This is in contrast to the long uninterrupted roof slopes to the other converted properties 'Cobwebs' to the north and Dove Cottage and Hawthorn Barn to the south, which are prominently sited close to, and parallel with, Browns Lane albeit they are punctuated with rooflights.
11. Users of Browns Lane approaching from the south would not be significantly elevated or exposed as to look down on the complex of buildings and its roofscape as a whole or see it within a wide landscape vista. Due to ground levels and Browns Lane sloping down to the junction with Gadmore Lane/Church Lane, the rear roof slope is read as single storey. As one nears the appeal building, there would be brief views of the roof slope and solar panels, visible between the gap at the end of 2 Dove Cottage. However, views would be oblique and partially obscured by a tree outside 2 Dove Cottage, although views would be more apparent in the winter when the tree would not

- be in leaf, and by the existing protruding roof gables. Therefore, any views of the solar panels would be indirect and only possible from along a short section of Browns Lane approaching from the south.
12. The solar panels would not be visible to users of Browns Lane when approaching from the north, from the junction with Gadmore Lane/Church Lane, unless they turned to look behind them.
 13. I therefore find there would be limited views of the solar panels from afar and when close to. As a result, due to their proposed siting and positioning, the solar panels would not harm the character and appearance of the countryside and the Chilterns AONB.
 14. The farm buildings are described by the Council as a non-designated heritage asset. I have not been provided with any substantive evidence of the building's significance apart from its association by name to the Rothschild family. The appellant says Rothschild used the barns to store hunting dogs and pigs, but that they fell into disrepair until they were converted into dwellings in the early 1990s. From my observations the buildings' significance derives from the overall historic farm use and simple unity of design with consistent building materials, including long clay tile roofscapes. Despite residential conversion and various domestic paraphernalia, such as roof lights, satellite dishes, wheelie bins as was evident from my visit, the buildings still make a positive contribution to the wider rural countryside setting of the ANOB.
 15. Paragraph 197 of the National Planning Policy Framework (NPPF) states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The presence of a modest array of solar panels on a partially obscured rear roof slope which has no significant views from the public realm, on a complex of farm buildings that have already been converted to residential, would not erode the integrity, setting or distinctiveness of the building or its group value and would not cause harm to the asset's significance.
 16. There would be some environmental benefits from the use of solar panels. However, as I have not found harm on the main issue this matter has not been determinative to my decision.
 17. Accordingly, the proposal would not conflict with CS Policies CS11, CS12, CS24 and CS27, and saved Appendix 3 of the Dacorum Local Plan 2004. These policies collectively seek to ensure high quality design that preserves and integrates with the street space, conserves the special qualities of the ANOB and the integrity, setting and distinctiveness of non-designated heritage assets. It would also comply with paragraphs 127 and 197 of the Framework relating to achieving good design and non-designated heritage assets respectively.

Other matters

18. I was invited to view the appeal site and roof slope from the neighbouring property 2 Dove Cottage. The roof slope is close to the tall boundary fence and due to a difference in ground levels most of the roof slope and array of solar panels would be visible from the property. However, I observed that the part of the roof slope that would house the solar panels is not read as part of a larger or longer roof space due to the protruding gables and existing landscaping to

the side. Furthermore, as the solar panels would only be marginally protruding above the roof slope and not significantly encroach towards the neighbouring property the proposal would not be visually intrusive to harm their outlook.

19. The Council raised a concern that in allowing planning permission for this site it would set a precedent for other similar development. The Planning Act requires development to be considered against the development plan and any other material considerations. As a result, each application for planning permission would have to be treated on its own merits and each will have its own site specific characteristics.

Conclusion

20. Having had regard to all other matters raised, it is concluded that the appeal should succeed and planning permission should be granted subject to conditions necessary for the avoidance of doubt.

K. Stephens
INSPECTOR