
Appeal Decision

Site visit made on 11 February 2020

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 17 February 2020

Appeal Ref: APP/X1165/D/20/3244789

2 Redgate Close, St Marychurch, Torquay TR1 3UG

- 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 Robert Knox against the decision of Torbay Council.
 - The application Ref P/2019/1065, dated 7 October 2019, was refused by notice dated 6 December 2019.
 - The development proposed is the erection of solar panels on a steel frame in the front garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the solar panels on the character and appearance of the area.

Reasons

3. The panels the subject of this appeal have already been installed and so their impact on the character and appearance of the area can be readily appreciated.
4. The low timber fence on the front garden boundary is too low to disguise wider views of the array of solar panels, in part because a section of it is missing. Even if it were complete and higher it would not prevent clear views of the array when walking past the house on Redgate Close. A higher fence would also be an eyesore in itself in an estate whose frontages have been designed to be and are generally open.
5. The panels occupy nearly the whole of the front garden area and present an inappropriate view of hard surfaces of an industrial design inimical to the domestic character and appearance of the surrounding houses in Redgate Close and Lyme View Road. These solar panels, no doubt in order for them to be effective in generating electricity, are mounted on steel poles affixed to the lower ground level of the front garden. This mounting, which can be seen from the garden gate to the property on Lyme View Road, makes their appearance much worse.
6. The panels can readily be seen from Redgate Close and the upper part of Lyme View Road leading to the footpath to Quinta Road. They are conspicuous and ugly and clearly harm the character and appearance of the street scene in this low-density residential area. I saw nothing similar on any of the other houses

in the area. As such this array of insensitively sited solar panels significantly harms the character and appearance of the area.

7. Policy DE1 of the Torbay Local Plan requires development to be uncluttered and attractive and to acknowledge local character. The proposed solar panels would not comply with this Policy. Whilst other policies in the Local Plan (such as ES1 and ES2) support proposals for new renewable energy generating systems, such support does not outweigh the need for proposals to respect the character and appearance of individual areas.
8. For the reasons given above I conclude that the appeal should be dismissed.

Nick Fagan

INSPECTOR