



Appeal Decisions

Site visit made on 14 November 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal A - Ref: APP/F3545/W/22/3295539

Calford Green Cottage, Calford Green, Kedington, Suffolk CB9 7UN,

- 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 & Mrs Ian Evans against the decision of West Suffolk Council.
 - The application Ref DC/21/1806/HH, dated 27 September 2021, was refused by notice dated 5 January 2022.
 - The development proposed is described as 'Installation of dark framed solar panels on the front elevation of the natural slate-roofed extension on the west side of the original thatched cottage'.
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Appeal B - Ref: APP/F3545/Y/22/3295541

Calford Green Cottage, Calford Green, Kedington, Suffolk CB9 7UN,

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Ian Evans against the decision of West Suffolk Council. The application Ref DC/21/1807/LB, dated 27 September 2021, was refused by notice dated 5 January 2022.
 - The works proposed are described as 'Installation of dark framed solar panels on the front elevation of the natural slate-roofed extension on the west side of the original thatched cottage'.
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Decisions

1. The appeals are dismissed.

Main Issue

2. The main issue in these appeals is whether the proposed development and works would preserve the Grade II listed building known as Calford Green Cottage or any features of special architectural interest that it possesses.

Reasons

3. Calford Green Cottage probably dates from the 17th Century and is therefore a rare example of early modern vernacular building traditions. The main historic part of the building is constructed from natural materials found in the landscape and include a timber frame, plastered 'Suffolk pink' elevations and a thatched roof. The cottage is unfussy, simple and humble in appearance. It is possible to view the listed building from the small green it fronts onto and from here it has a very pleasant rural charm.
4. Accordingly, the significance of the listed building, in so far as it relates to these appeals, includes the architectural and historic value it possesses as a repository of past building traditions and technologies. The building also has aesthetic value as a fine example of a locally distinctive dwelling.

5. The property has been extended to the side. This addition detracts a little from the composition of the historic part of the building due to its scale, contrasting slate roof and use of a large picture window in the front elevation, which does not respect the smaller historic window openings. Nevertheless, the extension is generally subservient due to its lower ridge height and the set back of the front and rear elevations. The plastered finish also matches, and the roof is unbroken and simple in appearance. The use of dark natural slates responds, to an extent, to the weathered colour of the thatch. Thus, the extension is generally recessive in views of the listed building. This allows the historic timber framed element to remain preeminent when seen from the Green.
6. The appeal scheme would involve the installation of solar panels that would stand proud of the roof plane and have an overtly modern texture and appearance at odds with the rustic materials currently evident in the building's roof scape. The configuration would also appear awkward because the panels would not sit centrally in the extension's roof. Eight panels may have been better in this respect. In any event, the panels would have a jarring modern appearance that would detract from the simplicity of the building's principal elevation. This significantly harmful impact on the architectural and aesthetic significance of the building would be evident from The Green and the B1061.
7. In some respects, the existing extension is already a component of the building that contrasts with the historic timber framed element. The appellants submit that the panels would not appear jarring in this context. However, for the reasons set out above, the extension is generally simple and recessive in appearance. The use of solar panels would reinforce the contrasting appearance of the newer extension. I have not been directed to any policy or guidance that suggests extensions and additions to a listed building should contrast in every instance. In this case, the provision of prominently positioned solar panels would clutter the roof plane and appear as a strident and incongruous modern feature. This would draw the eye away from the simple, mellow and pleasing appearance of the historic thatched cottage. The solar panels would have a dark colour, but they would be easily distinguishable from the slate roof due to their projection, size and texture.
8. The neighbouring property has solar panels, but that installation takes up a smaller proportion of the roof than the appeal scheme would, and the building is not listed in any event. The appellants suggest there is no alternative to placing the panels on the roof, because free standing panels in the garden would harm the appearance of this space. Given the size of the plot and the presence of other outbuildings, I am not entirely convinced that would be the case. Nevertheless, I have considered the proposal on its merits and found it to be harmful for the reasons given. The impact would be reversible but there is nothing to suggest the intention is for the panels to be temporary. The works would not affect historic fabric, but there would be harm to the appearance of the listed building nonetheless.
9. In conclusion, the proposal would significantly harm, and thus fail to preserve, the listed building. It would therefore be contrary to Policies DM2 and DM15 of the DMP¹ and Policy CS3 of the CS². These policies seek to secure proposals that contribute to the preservation of the listed building and are not detrimental to its character or any architectural or historic features.

¹ Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015

² St Edmundsbury Core Strategy Local Development Framework 2010

Other Considerations

10. The significant harm that would occur to the special interest of the listed building would not be severe and would therefore be 'less than substantial' within the meaning of the National Planning Policy Framework (the 'Framework'). In such circumstances, Paragraph 202 of the Framework states the harm should be weighed against the public benefits of the proposal.
11. It is indisputable that climate change is occurring and consequently there is an urgent need for action as set out by the Intergovernmental Panel on Climate Change. As a result, West Suffolk Council has declared a climate emergency with an intention to be carbon neutral by 2030. The provision of solar panels on domestic properties in the way proposed would facilitate the production of renewable energy and thus reduce carbon emissions. It is therefore commendable that the appellants wish to actively reduce their own carbon emissions. Moreover, the recent events in Ukraine have shone a spotlight on the need for energy security and the desirability of reducing energy costs. The modest provision of renewable energy in the way proposed would therefore be a public benefit of moderate weight in favour of the proposal.
12. However, in this instance there would be harm to the significance of a listed building. Such structures are a finite cultural resource and make up only a small proportion of the built environment. As a result, the Framework requires that I give great weight to their conservation. The statutory duty to have special regard to preserving a listed building³ is a matter of considerable importance and weight. This is not an instruction to dismiss a proposal that would harm a listed building, but it nevertheless provides a strong presumption in favour of preservation, that is doing no harm.
13. In this context, the significant harm that would arise from the proposal would not be outweighed by its moderate public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to a designated heritage asset would not have clear and convincing justification.
14. In coming to this view, I have carefully considered whether there is any inconsistency with the approval of solar panels on St Paul's Church in Denholme. This is a large building that was previously in a poor state of repair through neglect. The provision of solar panels apparently formed part of the rehabilitation of the building and helped safeguard its long-term future. In this instance, Calford Green Cottage is evidently a well-cared for building that is in good condition. Accordingly, the extent of the public benefit is not the same, as the proposed solar panels would not form part of the cottage's renovation or reduce the running costs of a very large structure. In any event, the appeal building is a simple thatched cottage and therefore has a different character to a gothic church. As the circumstances are different there is no inconsistency.
15. The appellant has also drawn my attention to a letter from the Minister of Business, Energy and Industrial Strategy. This indicates an intention to review and update the planning framework for listed buildings, so they have the right energy efficiency measures to support zero carbon objectives. The minister further sets out an intention to ensure the significance of listed buildings is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change. I do not read this as a clear

³ See Sections 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

statement of policy that confirms the benefits of installing solar panels would outweigh harm to a listed building's significance. It is a matter of judgment. Thus, for the reasons set out above, the balance in this instance is towards a dismissal of the proposal given the extent of harm that would be caused.

Conclusions

16. The appeal scheme would be at odds with the expectations of The Planning (Listed Buildings and Conservation Areas) Act 1990, the development plan and the Framework. This is not outweighed by other considerations. As a result, the appeals have failed.

Graham Chamberlain
INSPECTOR