
Appeal Decisions

Site visit made on 6 December 2022

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2023

Appeal Ref: APP/N0410/W/22/3294739

Hollands Farm, Penfold Lane, Holmer Green, Buckinghamshire, HP15 6XS

- 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 Kurt Kuen against the decision of Buckinghamshire Council.
 - The application Ref. PL/21/4214/FA, dated 29 October 2021, was refused by notice dated 23 December 2021.
 - The development proposed is installation of 20 solar panels on roof of detached garage.
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Appeal Ref: APP/N0410/Y/22/3291134

Hollands Farm, Penfold Lane, Holmer Green, Buckinghamshire, HP15 6XS

- 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 Kurt Kuen against the decision of Buckinghamshire Council.
 - The application Ref. PL/21/4215/HB, dated 29 October 2021, was refused by notice dated 23 December 2021.
 - The works proposed are installation of 20 solar panels on roof of detached garage.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. As the proposal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The Council appears to accept that the garage upon which the solar panels would be located is of modern construction. As such, it is unclear why an application for listed building consent is necessary. Nevertheless, since consent has been sought, I have determined the appeal.

Main Issues

4. The main issue is whether the proposal would preserve a Grade II listed building, Hollands Farmhouse, and any of the features of special architectural or historic interest that it possesses.

Reasons

5. Hollands Farmhouse is a timber framed building under a red tile roof, dating from the 17th Century. It derives its special interest, insofar as it relates to these appeals, from the traditional method of construction, materials and age.

6. The detached garage building stands adjacent to the farmhouse and is of relatively modern construction, with a brick plinth, black weatherboarding and red tile roof. Despite being more modern, its design and materials are sympathetic to the farmhouse and respect its traditional materials and appearance.
7. The proposed solar panels would cover much of the roof slope facing the street. They would be overtly modern in their appearance, due to their design and materials, including their shiny reflective surface. This is notwithstanding the black colour proposed. Their appearance would be in stark contrast with the traditional roof tiles of the garage and farmhouse, significantly detracting from the listed building and its traditional setting.
8. I have had regard to the tall hedgerow on the site frontage which offers a degree of visual screening. However, besides from the question of permanence when it comes to landscaping, I noted that the garage roof slope was readily visible beyond the hedge on approaching the site and over the entrance gates. The panels would become a prominent feature that would appear wholly incongruous alongside the farmhouse.
9. The harm arising would be less than substantial in the terms of the National Planning Policy Framework (the Framework) but is nevertheless of considerable importance and weight. The panels are designed to generate sustainable electricity and would allow the appellant to reduce their carbon footprint and contribute to efforts against climate change. This is a notable public benefit but is not sufficient to outweigh the harm that I have identified to the listed building.
10. As such, I find that the proposal would fail to preserve the special architectural and historic interest of the listed building. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policy LB2 of the Chiltern District Local Plan (1997), which seeks to ensure the preservation or enhancement of heritage assets, including the setting of listed buildings. As a result, the proposal would not be in accordance with the development plan.

Conclusion

11. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR