
Appeal Decisions

Site visit made on 6 December 2022

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th March 2023

Appeal Ref: APP/T3725/W/22/3292818

Hunningham Hill Farm, Fosse Way, Hunningham, Leamington Spa, CV33 9EQ

- 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 Jonathan Hoffstetter against the decision of Warwick District Council.
 - The application Ref. W/21/0273, dated 11 February 2021, was refused by notice dated 24 November 2021.
 - The development proposed is an 18-panel solar pv system to rear/south-west roof slope of barn.
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Appeal Ref: APP/T3725/Y/22/3292824

Hunningham Hill Farm, Fosse Way, Hunningham, Leamington Spa, CV33 9EQ

- 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 Jonathan Hoffstetter against the decision of Warwick District Council.
 - The application Ref. W/21/0274/LB, dated 11 February 2021, was refused by notice dated 24 November 2021.
 - The works proposed are an 18-panel solar pv system to rear/south-west roof slope of barn.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. The appeals seek retrospective planning permission for a solar pv system that has already been installed, and to regularise the works to the listed building. As such, I was able to view the panels during my site visit.
3. The barn to which the solar panels have been attached is not listed in its own right but is a curtilage listed building associated with Hunningham Hill Farmhouse.
4. 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).

Main Issue

5. The main issues are whether the proposal would preserve the curtilage listed barn, and any of the features of special architectural or historic interest that it possesses; and whether the proposal would preserve the setting of Hunningham Hill Farmhouse, a Grade II listed building, and any of the features of special architectural or historic interest that it possesses.

Reasons

6. Hunningham Hill Farmhouse is a sizeable red brick dwelling, parts of which are timber framed and date from the 17th Century. It has been much altered and extended over the years, as have its associated barns and outbuildings. However, the agricultural origins and hierarchy of the site remain evident, with a principal farmhouse and adjacent barns arranged around a courtyard, now converted to form a separate residential property. The buildings derive their special interest, insofar as it relates to these appeals, from their typical agricultural layout, age and the traditional forms of construction and materials used.

Curtilage listed barn

7. The array of solar panels has been fitted to the rear roof slope of a barn that is more remote from the farmhouse and other associated buildings, but nevertheless constitutes a curtilage listed building, being clearly located within the original farmstead and located on the principal access to the site approaching the farmhouse. It has now been converted and is no longer in agricultural use, but its former functional relationship with the principal listed building remains apparent. It is a traditional red brick barn with a slate roof and rectangular plan form.
8. The solar panels cover much of the roof slope and are overtly modern in their appearance, due to their design and materials, including their shiny reflective surface. This is notwithstanding their black colour. Their appearance is in stark contrast with the traditional slate covered roof of the barn. The incongruity of the panels is compounded in this case by the crude fixings used, meaning that the panels sit somewhat proud of the roof slope on brackets that remain visible in large part above the slates. As is often the case with old buildings, the roof slope is not entirely flat, and as a result the panels do not all follow the same plane, appearing clumsily placed. The wiring and equipment fixed to the outer faces of the building further detract from its otherwise traditional character and materials.
9. The panels are not located in a prominent position from the public realm, but the topography of the site and the nearby road is such that glimpsed views are possible, as well as from the adjacent track and fields, where the panels are seen in the context of the former farmstead and buildings. In any case, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building or any of their curtilage structures can be gained.
10. The harm arising to the curtilage listed barn 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.

Hunningham Hill Farmhouse

11. The listed farmhouse stands some distance from the barn but is clearly associated with it, representing the former focus of the farm and the property in which the farmer would have lived. The barns and outbuildings, including the barn to which the solar panels have been attached, contribute significantly to the setting of the farmhouse, highlighting its agricultural origins.
12. The solar panels would only be seen in the context of the farmhouse in glimpsed views from the road, fields and access tracks but where this occurs, would appear as a modern anomaly. They detract from the traditional design and materials of the farmstead and so harm the listed farmhouse.
13. The harm arising to the listed farmhouse would be less than substantial in the terms of 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.

Conclusion

14. As such, I find that the proposal would fail to preserve the special architectural and historic interest of the curtilage listed barn and the listed farmhouse. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policy HE1 of the Warwick District Local Plan 2011-2029 (2017), which seeks to ensure the preservation or enhancement of heritage assets. As a result, the proposal would not be in accordance with the development plan.
15. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR