

Appeal Decision

Site visit made on 23 May 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th June 2023

Appeal Ref: APP/P2745/D/23/3320468

1 Cockpit Hill, Brompton, Northallerton, North Yorkshire DL6 2RQ

- 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 J Logan against the decision of Hambleton District Council.
 - The application Ref 22/02724/FUL, dated 28 November 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the provision of roof mounted solar panels, the temporary cladding to the façade and the proposed replacement rendering to the frontage of the dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The council's concern relates only to the solar panels which are already in place. The property lies within the Brompton Conservation Area. This is characterised by the generally linear form of development which includes green spaces between the building lines along the west to east axis. The appeal property lies close to the crossroads that provide the main commercial focus of the village. The appeal property is attached to the listed former Three Horseshoes Public House building and together, they form part of a historic terrace of properties that rise from the village centre up towards the east.
 4. Although the narrow road and the single sided footpath ensure that the panels are not visible from a number of locations, they are clearly visible from the crossroad junction and parts of The Green to the west. From these vantage points the listed former public house and the rising levels of the cottages beyond, form an important view within the conservation area. The clay pantile roofs of the listed property, this cottage and its neighbour are important characteristics in this view. This roofscape continues up the hill to the east and although not all the properties have these roofing materials, their similar rising staggered form adds significantly to the character and appearance of the area.
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5. The solar roof panels represent a jarring intervention in the views of these properties. They represent an incongruous addition to these historic roof forms. They detract from the appearance of these neighbouring buildings and result in harm to the character and appearance of this area due to their discordant character and distinctly different appearance. An array of panels on a property further up the hill are less prominent in views but nevertheless, also have a jarring impact in the limited views available. As I have no information regarding these panels, I cannot assume that the council has been inconsistent in its approach.
6. The solar panels that are the subject of this appeal, result in an adverse impact to the significance of this historic environment. They do not preserve or enhance the character or appearance of the area. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty requiring that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
7. The harm to the conservation area is less than substantial as defined by the *National Planning Policy Framework*. The *Framework* requires that development that leads to less than substantial harm should be weighed against the public benefits of the proposal. The appellant has set out a range of benefits that result from the use of solar panels. There is considerable support in both local and national planning policies; and other government policies, for the use of renewable energy sources such as this. Furthermore, the orientation of this building does not allow for any alternative siting.
8. Whilst solar power represents a more sustainable source of energy, to be considered as sustainable development an assessment of the social, economic and environmental objectives must be made. Whilst there are social, economic and environmental benefits, there would also be environmental harm, particularly with regard to the impact on the conservation area.
9. The proposal gains encouragement from policy RM6 of the Hambleton Local Plan 2022 (LP). This does however acknowledge that when identifying and considering the acceptability of potential adverse planning impacts, their significance and level of harm should be weighed against their public benefits. LP policy E5 reflects the *Framework* requirements with regard to heritage assets and is clear that less than substantial harm will only be supported where the harm is outweighed by the public benefits of the proposal.
10. I afford considerable weight to the social, economic and environmental benefits of solar power and the support offered for such small scale interventions. I also afford weight to the more appropriate building facing materials that form part of the proposal. However, in this particular setting, I conclude that the social, economic and environmental benefits are not sufficient to outweigh the environmental harm to the conservation area. The public benefits do not outweigh the less than substantial harm that would result to this heritage asset. The panels therefore conflict with the LP and *Framework* policies. The panels also result in harm to the setting of the attached listed building which adds to my concerns. I therefore dismiss the appeal.

Peter Eggleton
INSPECTOR