



Appeal Decisions

Site visit made on 13 June 2023

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 3 July 2023

Appeal A Ref: APP/D3505/W/22/3307234

17 Chequers Lane, Glemsford, Suffolk CO10 7PW

- 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 R Beattie against the decision of Babergh District Council.
 - The application Ref DC/22/02397, dated 6 May 2022, was refused by notice dated 27 July 2022.
 - The development proposed is installation of roof mounted solar panels to detached outbuilding.
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Appeal B Ref: APP/D3505/Y/22/3307236

17 Chequers Lane, Glemsford, Suffolk CO10 7PW

- 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 R Beattie against the decision of Babergh District Council.
 - The application Ref DC/22/02398, dated 6 May 2022, was refused by notice dated 27 July 2022.
 - The works proposed are installation of roof mounted solar panels to detached outbuilding.
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Decision

1. The appeals are dismissed.

Preliminary Matter

2. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are whether the proposal would preserve a Grade II* listed building, 17 Chequers Lane, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Glemsford Conservation Area.

Reasons

4. The site lies in Glemsford Conservation Area (CA) which encompasses a linear village that lies along a road that stretches over a hill. Its significance is derived from the way that the buildings of varying ages and types reflect the historic evolution of the village from its medieval origins.
5. The building was listed in 1961 and dates from the 16th century. It is a fine timber-framed house with exposed timber framing and plaster infill. Given the

above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the legibility and fabric of its 16th and 17th century origins.

6. The outbuilding sits alongside the dwelling and can be seen in the same view when seen from Duffs Lane. It is orientated such that the long elevation faces the dwelling. Given its traditional form and materials, its special interest and significance lies in its ancillary relationship with the dwelling.
7. The proposed solar panels would appear stridently incongruous against the traditional materials of the existing building. This would be seen in views from the street where the building would be viewed alongside the principal dwelling. Therefore, the proposal would detract from the special interest of the listed building.
8. While there is little detail regarding how the panels would be fixed to the roof, I see no reason why a suitably worded condition requiring submission of such details would not adequately address the risk of loss of historic fabric.
9. The appellant has suggested that the proposal would not harm the listed building because it would not be more widely visible. However, I observed that notwithstanding the trees and vegetation along the boundary, the proposed changes would be clearly visible from the street and thus capable of harming the wider character and appearance of the CA.
10. Given the above, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
11. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the limited scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
12. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because of the energy that would be produced by the panels.
13. I note the evidence that the proposal would substantially remove the emerging existential risk to the listed building posed by the long term impact of high energy prices thereby helping to secure its continued viability as a domestic house and reducing the long term risk of vacancy and disrepair.
14. However, a detailed assessment of other options to upgrade the thermal efficiency of the dwelling or other renewable energy systems is not before me to demonstrate that the proposal is the only solution to the challenges of meeting the energy costs of the building. I note the long term risks to the building through difficulty in meeting energy costs. However, there is little evidence to indicate that there is an immediate risk to the listed building.

15. I also note the evidence regarding climate change, national weather and national use of fossil fuels. However, given the limited scale of the proposal, and that it is not proposed to contribute energy towards the national energy supply, I attribute very limited weight to this point.
16. Therefore, for the foregoing reasons, the proposed heritage benefits would not be sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling in the short term is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. In the absence of any substantiated evidence to the contrary neither would any public benefits accrue in relation to the CA.
17. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II* listed building and the character or appearance of the Glemsford Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 199 of the Framework and conflict with Policies CN06 and CN08 of the Babergh Local Plan (2006) and Policy CS15 of the Local Plan 2011-2031 Core Strategy & Policies (Part 1 of New Babergh Local Plan) February 2014 that seek, among other things, that proposals for alterations would harmonise with the existing building and its setting, preserve or enhance the character of the conservation area or its setting and respect heritage assets. As a result, the proposal would not be in accordance with the development plan.

Conclusion

18. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

R Sabu

INSPECTOR