



Appeal Decision

Site visit made on 18 July 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 August 2023

Appeal Ref: APP/Y3940/W/22/3306130

Church House, High Street, Tilshead, Salisbury, Wiltshire, SP3 4RZ

- 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 Humphrie James against the decision of Wiltshire Council.
- The application Ref PL/2021/11167, dated 20 November 2021, was refused by notice dated 14 March 2022.
- The development proposed is installation of 14 Solar Panels on the roof of the garage.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The panels have already been fitted. I am therefore considering this appeal retrospectively.

Main Issue

3. The effect of the proposal upon the setting of nearby heritage assets, including Church House and South Manor (both grade II listed buildings), Church of St Thomas A Becket (grade I listed building); and whether the proposal would preserve or enhance the character and appearance of the Tilshead Conservation Area.

Reasons

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. The panels have been erected on the roof slopes of an existing garage building that stands to the southeast and within the curtilage of Church House. 7 panels are fixed to the south facing roof slope that faces towards the road, and a further 7 panels on the north facing roof slope that faces over the enclosed garden to the side of Church House.
6. Church House dates from circa 1830. It has a simple but elegant form, with a symmetrical front façade facing the road with a prominent stone porch at its centre, with French doors above. A small front garden is enclosed behind metal railings. Its polite front elevation was designed to be seen and thus its

prominent roadside position is an aspect of its setting that enhances its significance. Other factors such as its position to the front of the Church and its relationship with other historic buildings that make up this core part of the settlement are components of its setting that contribute to its significance.

7. The Church of St Thomas A Becket stands behind Church House. It dates from the early 12th century, with various later phases including a mid 19th century restoration. It features a short square stone tower with a distinctive conical roof that rises behind a parapet. It is in a set back position, but its tower is easily viewed in the gap to the east side of Church House. In this context the other traditional buildings that make up the core of the settlement are important components of its setting that contribute to its significance.
8. South Manor stands opposite the site. It dates from the early 17th century. It has a simple vernacular form with a degree of polite formality to the front derived from the use of polychromatic stonework and stone mullioned windows. At its western end it extends back with a run of single storey additions with characterful undulating clay roofs. Its simple and functional relationship with the street is an important aspect of its setting that contributes to its significance, as is the presence of numerous historic buildings within the immediate area, including Church House and the Church which are both directly opposite.
9. The appeal site is within the Tilshead Conservation Area (CA), which covers a large part of the small village. Its rural setting is a significant characteristic of the area, as is its wealth of historic buildings, particularly close to the appeal site. Buildings are arranged at a low density and in an unplanned manner, and many are set back from the road, which gives the area a spacious character. Buildings in the area feature a well weathered palette of traditional materials that includes thatch, flint, brick and tile. These are characteristics of the CA that contribute to its significance.
10. I note that the garage is a modern building that was erected within the grounds of Church House. Its prominent position beyond the building line of Church House means that it already causes some harm to its setting, however its weathered roof and painted walls do help it to assimilate with its environs to a degree.
11. The road facing panels are highly prominent to view from the road. The panels have a flat, modern and bulky appearance. They are of a dark colour, however they are of a scale that appears cumbersome alongside the small pattern of slate and tile on nearby roofs, and their machine made finish appears stark in the context of the rich palette of well weathered vernacular materials in the area. Their visual impact is exacerbated by the inelegant manner by which they have been arranged on the roof with two horizontal panels across the top stopping short of the row of five vertically arranged panels beneath.
12. These characteristics draw the eye and detract from what is otherwise a pleasant and characterful historic village scene. The panels thus fail to preserve the character of the CA and erode aspects of the settings of the listed buildings referred to above that contribute to their significance.
13. I accept that within the streetscene there are elements of modern street furniture that are moderately intrusive. However, at my visit I could not agree

that the this furniture is dominant to the character and appearance of the nearby area that the panels do not cause additional harm.

14. At my visit I could see that there is only a very limited view of the north facing panels from the Churchyard, where they are seen at the far end of the garden and largely obscured by garden vegetation. However, the south facing panels are prominent to view from the road where they can be seen in front of the Church tower. They cause considerable visual harm to what is otherwise an attractive and significant view that takes in the Church tower with Church House in the foreground.
15. In terms of the National Planning Policy Framework (the Framework) the harms identified are less than substantial. Paragraph 202 of the Framework establishes that any harm to a designated heritage asset should be weighed against the public benefits of the proposal.
16. The panels were installed to replace a coal Rayburn, which was the previous source of heat for the dwelling and consumed a significant volume of coal. Additionally, ash produced by the Rayburn was sent to landfill and further impacts would have arisen from the need to regularly deliver coal to the property. A solar system represents a significant improvement when compared with the previous fossil fuel heating method, the benefits of which are further maximised by the incorporation of a battery storage system. There can be no doubt that this represents a significant environmental improvement to how the dwelling is heated, which is a public benefit of considerable weight. Additionally, sourcing a more environmentally friendly heating source is a matter that supports the ongoing conservation of the listed building. These are matters of public benefit to which I attach considerable weight.
17. The series of events that led the appellant to fit the panels, seemingly based on incorrect advice from the Council, is highly unfortunate. Whilst this is a matter that has caused the appellant to find himself in a very difficult position, I am not of the view that it should weigh in favour of the appeal.
18. I have found that the public benefits of the proposal carry considerable weight. I need to consider this in the context of Paragraph 189 of the Framework which states that heritage assets are an irreplaceable resource and Paragraph 199 which establishes that great weight should be given to the conservation of a heritage asset.
19. There is nothing before me to demonstrate that alternatives were considered. This could include alternative solutions for mounting the panels such as within the generous garden area to the rear of the garage, and the many alternatives to heating the property. It is too simplistic to rule out an air source heat pump because it has some disadvantages to a solar system without properly weighing its benefits, as it is likely that it would cause much less harm to the significance of the building. There is also nothing before me to demonstrate that the panels have been installed as part of a whole building approach that considers thermal performance as well as the heating method. If opportunities to sensitively improve the thermal performance of the building have not been taken the advantages of the installation of the panels will be lessened.
20. It is suggested that the panels could be replaced with solar slates that are fitted as a roof covering. This is not a matter I can take into account as part of the appeal, as the proposal before me is to retain the panels. However, it does

further illustrate that there might be alternative solutions to the panels that would be less harmful and could achieve a similar benefit.

21. These factors lessen the weight I give to the public benefit of the installation. I have found that the proposal would cause harm to aspects of the setting of numerous listed buildings, including the grade I Church, that contribute to their significance. It would also fail to preserve the character and appearance of the CA. In weighing these matters together, I am not satisfied that the benefits would be sufficient to outweigh the degree of harm identified.
22. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm aspects of the setting of various listed buildings that contribute to their special interest and the character and appearance of the CA. It would be contrary to Policy 58 of the Wiltshire Core Strategy 2015, which seeks to ensure that development proposals protect, conserve and where possible enhance the historic environment.

Conclusion

23. In conclusion, the proposal would conflict with the development plan and there are no other considerations that outweigh that conflict. Therefore, the appeal should be dismissed.

A Tucker

INSPECTOR