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## Appeal Decisions

Site visit made on 18 July 2023

**by Alison Scott (BA Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 November 2023**

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### **Appeal A Ref: APP/N1730/W/23/3314548**

#### **Lees Farm, Lees Hill, South Warnborough, Hook, Hampshire RG29 1RQ**

- 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 Robert Evans against the decision of Hart District Council.
- The application Ref 22/02581/HOU, dated 24 October 2022, was refused by notice dated 19 December 2022.
- The development proposed is installation of solar panels on outbuilding to Lees Farm.

### **Appeal B Ref: APP/N1730/Y/23/3314555**

#### **Lees Farm, Lees Hill, South Warnborough, Hook, Hampshire RG29 1RQ**

- 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 Robert Evans against the decision of Hart District Council.
- The application Ref 22/02582/LBC, dated 24 October 2022, was refused by notice dated 19 December 2022.
- The works proposed are installation of solar panels on outbuilding to Lees Farm.

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### **Decision**

1. Appeal A is dismissed.
2. Appeal B is dismissed.

### **Preliminary Matters**

3. The appeals concern proposed works and development to an outbuilding at Lee's Farm, a Grade II listed building that was added to the statutory list in June 1987 (List Entry Number: 1244704). It is not in dispute that the appeal outbuilding predates July 1948 and is therefore a structure within the curtilage of the principal listed building and covered by the same statutory protection. The appeal site is situated within South Warnborough Conservation Area (CA) and proximate to other listed buildings. I am mindful of my statutory duties in respect of 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act).
4. In June 2022, the Council granted planning permission<sup>1</sup> and listed building consent for works and development to the appeal outbuilding, including at roof level, raising its ridge and the insertion of two rooflights (the 2022 scheme). At the time of my visit, I saw that the 2022 scheme was being implemented.

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<sup>1</sup> 22/00521/HOU & 22/00603/LBC

5. On 5 September 2023, the Government published a revised National Planning Policy Framework and after the time of the submission of the appeals. However, there is no substantive change that is relevant to this scheme.

### **Main Issues**

6. The main issues are whether the proposed works and development would preserve the Grade II listed building or its setting or any features of special architectural or historic interest that it possesses; and whether the character and appearance of South Warnborough Conservation Area would be preserved or enhanced.

### **Reasons**

7. The appeal concerns works and development to a single-storey outbuilding (the outbuilding) that is within the curtilage of Lee's Farm, on the north side of Lees Hill. The statutory list description identifies Lee's Farm as being of late 18<sup>th</sup> century origin, two storeys with a hipped red tile roof and brick dentil eaves. The principal farmhouse creates one long elevation fronting a central yard attached to a large barn. To the opposite side of the yard stands the detached outbuilding facing into the courtyard.
8. I consider the significance and special interest of the listed building derives in part from its 18<sup>th</sup> century origins as an integral part of a farmstead with its historic associations centred around the agriculture and farming industry of South Warnborough. The principal building itself, its materials, form and architectural detailing are all part of that significance. So too are the outbuildings and agricultural structures within its curtilage and wider rural surroundings that, to this day, are indicative of the former farmstead function.
9. Constructed of red brick with a slate roof, the outbuilding is currently used as home office, garaging and storage. Despite alterations occurring to the outbuilding over the years, it still reads both physically and functionally as a traditional agricultural building, ancillary to the principal farmhouse. Moreover, the yard-facing openings and largely blank rear elevation to the road emphasises the typical arrangement of farmstead around a central yard. Therefore, the outbuilding adds positively to the interpretation of the historic narrative of Lee's Farm and its origins and functioning as a rural farmstead. Therefore it contributes to its significance and special interest.
10. The boundaries of South Warnborough Conservation Area (CA) encompass the close-knit historic village core and the routes radiates outwards towards the surrounding countryside. The appeal site is located towards the most north western boundary of the CA where groups of informally arranged buildings, and open expanses of countryside, give a rural country land character. The Council's South Warnborough Conservation Area Proposal Statement (CAPS), emphasise the CA's links to agriculture and rich built form that has evolved over the many centuries; it also identifies listed buildings, including Lee's Farm as the backbone of the character of the CA.
11. As Lee's Farm, including the outbuildings, reflect an importance part of the built evolution of the CA, and the area's association with agriculture, consequentially, the appeal site makes a positive contribution to the character and appearance of the CA as a whole, which is of value to its special interest and significance.

12. Implementation of the 2022 scheme to the outbuilding includes a new roof structure, raising the ridge height, and two new rooflights within its south-facing roof slope. However, as the rooflights would be well spaced apart, overall, these changes would respect the unassuming form and simple agricultural character of the outbuilding. Therefore, the contribution it makes to the significance of the listed building as an entity, and to the character and appearance of the CA, would be preserved.
13. The proposed works and development would introduce ten surface mounted solar panels located between roof lights on the outbuilding's south-facing elevation. Notwithstanding there would be a loss of historic fabric, the solar panels would protrude above the roof plane and be clearly distinguished from the outbuildings' traditional roof slate. The size of the array, in combination with the two rooflights, would leave very little of the roof slope as a simple expanse of exposed slates. Moreover, the quantity and position of the panels would detract from the aesthetic value of the outbuilding and read as a starkly modern intrusion and stand out as an atypical feature. Therefore, the proposal would be at odds with the agricultural character of the outbuilding and its wider rural surroundings, and contribution it makes to the narrative of Lee's Farm would be weakened.
14. Whether or not the proposed solar panels would be visible from within the confines of Lee's Farm, I consider that the proposed works and development would fail to preserve the special architectural or historic interest of the Grade II listed building. The proposed works and development would therefore run contrary to the expectations of s16(2) and s66(1) of the Act.
15. The proposed solar panels may be visible in a limited number of locations within the CA where other examples of solar arrays exist. Nevertheless, the quantity and position of the panels introduce an alien feature that would undermine the simple form and traditional materials of the outbuilding. In any event, in the location proposed, the solar panels would be obvious on approach into and out of the village along Lees Hill. The resultant degree of change would have a limited but deleterious effect upon a small but integral component that underpins the character and appearance of the CA as a whole. Consequentially, neither the character nor the appearance of South Warnborough CA would be preserved or enhanced. Therefore, the proposal would fail to accord with S72(1) of the Act.
16. Paragraph 189 of the Framework highlights that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Bearing in mind the scale and nature of the proposals, I judge that the degree of the harm to the significance of the listed building and CA as designated heritage assets would, in each case, be less than substantial. Paragraph 202 of the Framework requires the less than substantial harm be weighed against the public benefits of the proposal, including where appropriate, securing the optimum viable use.
17. The effects of global fuel shortages and the contribution of renewable energy in tackling the climate change crisis is not to be diminished, and the use of solar panels to help reduce carbon emissions would be both a private benefit to the appellant, and a public one. I have however not been provided with specific evidence on the net carbon reduction that the proposal would realise. Nor that the location, the number of panels, or surface mounted design of the proposals

would be the least harmful approach to securing similar public benefits. There would be some small economic benefit associated with the installation of the panels, but in the very short term. The granting of planning permission and listed building consent would not be on a temporary basis. I therefore give very little weight to the potential reversibility of the panels. Overall, the sum of public benefits associated with the proposals would be modest.

18. The appellant highlights numerous examples of other solar panels that have been installed elsewhere in the CA. However, I do not know the planning background or whether they are located on listed buildings. In any event, I have made my decisions on the evidence and site-specific circumstances before me, as well as the statutory duties placed upon me as a decision maker. That other local authorities may be adopting a differing approach to applications for solar panels on listed buildings has also had a limited bearing on these appeals.
19. Overall, I find that the public benefits associated with the proposals would not be sufficient to outweigh the less than substantial harm to the designated heritage assets affected. Conflict therefore arises with the historic environment protection policies within the Framework. The proposals would also run contrary to the heritage safeguarding aims of policies NBE8 and NBE9 of the Hart Local Plan (Strategy & Sites) 2032 and broad character protection aims of saved policy GEN1 of the Hart Local Plan 2006.

### **Other Matters**

20. The Council have provided me with statutory list descriptions for Vine Cottage, Lees Cottage, and South Warborough Lodge, which are Grade II listed buildings situated close to the appeal site. However, owing to the scale and nature of the proposals, I am satisfied that the settings of these nearby Grade II listed buildings and their special interest would be preserved. A lack of harm in this regard, however, does not alter my conclusions.

### **Conclusion – both appeals**

21. For the reasons set out above, and having considered all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

*Alison Scott*

INSPECTOR