



Appeal Decisions

Site visit made on 17 April 2025

by E Worthington BA (Hons) MTP MUED MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 May 2024

Appeal A: APP/A2335/W/23/3331144

Ty Nant, Wyresdale Road, Lancashire, Quernmore, LA2 9EF

- 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 Dr T Dawson against the decision of Lancaster City Council.
 - The application Ref 22/01272/FUL, dated 13 October 2022, was refused by notice dated 25 July 2023.
 - The development proposed is described as 'proposed solar PV panels to roof'.
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Appeal B: APP/A2335/Y/23/3331141

Ty Nant, Wyresdale Road, Lancashire, Quernmore, LA2 9EF

- 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 Dr T Dawson against the decision of Lancaster City Council.
 - The application Ref 22/01272/LB, dated 13 October 2022, was refused by notice dated 25 July 2023.
 - The works proposed are described as 'proposed solar PV panels to roof'.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matters

3. Since 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).
 4. On 19 December 2023 the government published its revised National Planning Policy Framework (the Framework). Whilst this post-dates the evidence provided by the main parties in relation to these appeals, since the revised Framework's approach to the main issue in this case has not altered significantly, I confirm that all references to the Framework in this decision are to the updated 2023 version.
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Main Issue

5. The main issue is whether the proposal would preserve a grade II listed building, Barn adjoining to west of Farmhouse, Narr Lodge Farm (Ref 1164480) and any of the features of special architectural or historic interest that it possesses.

Reasons

The listed building

6. The appeal building is a barn dating to the early 19th century and is situated at the western end of a small linear group of traditional former farm buildings which are now in residential use. It is built of watershot sandstone rubble and has distinctive long slate cat slide roofs to both sides. There is lawn/paddock area to the front of the building which is set well back from Wyresdale Road.
7. The parties are agreed that the southern roof slope no longer retains its original configuration or materials. The former raised cart opening feature has been removed and the stone slates replaced with slate tiles. Rooflights have also been inserted including to the ridge of the roof. Even so, the overall form and impressive expanse of the roof remains largely unchanged and the materials are traditional in appearance.
8. As such, despite the building's conversion and the alterations that have taken place, the building maintains its simple form, scale and proportions as well as elements of its historic fabric and traditional architectural features, notably its characteristic and dominating roof form. Thus, its historic character is still legible and it retains an attractive rural appearance and functional charm.
9. From the evidence before me, insofar as it relates to these appeals, I therefore find that the special interest of the listed building is drawn from its simple scale and functional design and proportions, including its distinguishing roof form, as well as its use of traditional materials. All of these features attest to its function as a building formerly associated with farming within a rural area.

The impact of the proposal

10. 30 recessed black trimmed high quality 370w solar PV panels would be installed on the southern roof plane of the appeal property. These would be flush with the slates, with head and base flashings. The existing slates would be removed and retained for future re-use. The appellant refers to a two tier approach to historic buildings and renewable technologies and has had regard to the advice from Historic England in formulating the proposal.
11. As set out above, I acknowledge that the roof is not in its original state. The proposal would result in no loss of historic fabric and the shape and configuration of the roof would be unaffected by the flush panels. That said, the proposal would introduce a considerable number of panels to the barn's characteristic and prominent southern cat slide roof slope. The existing rooflights are modest in number and size. In contrast, the proposed panels would cover a good deal of the extensive roof plane and replace significant amounts of the building's slate roof tiles there. The natural slate tiles would remain evident only towards the edges of the roof slope and at its western end. This being so, the proposed panels would be sizable in extent and would dominate the considerable expanse of roof.

12. The panels would have a generally smooth surface and texture and incorporate contemporary materials. By their nature they would be of a modern design. As a result they would appear in direct contrast to the traditional design and natural finish of the slate roof tiles. Despite their dark colour and recessed position, the panels would therefore have an obvious and strident appearance and would be readily evident alongside those parts of the outer edges and western end of the roof where the tiles would remain visible.
13. They would be seen from Wyresdale Road, through gaps in the intervening vegetation, with the lawn and paddock in the foreground. They would be even more prominent when the vegetation is not in leaf. They would also be visible from the paddock and lawn area, and from the access road at Lodge View. Besides, I am mindful that listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
14. Due to these factors, I find that the proposed panels would be appreciated as highly distracting and incongruous modern additions to the appeal building that would appear directly at odds with the rural simplicity of its historic form and design. They would dominate the distinctive southern roof plane and detract from this important architectural feature. They would also undermine the sense of the building's historic purpose as a barn and erode the ability to appreciate it as such. This being so, I find that the panels would impair the building's historic legibility and significance and would fail to preserve its special interest.
15. I appreciate that the appellant has researched increasing the sustainability of the dwelling. It is highly insulated and well sealed with mechanical ventilation and heat recovery providing air comfort levels. A ground source heat pump (GSHP) is already installed there and provides heating and hot water. I also note that the south facing roof is considered to be the most practical and efficient location for solar panels.
16. In terms of alternatives, other parts of the site have been considered and discounted. The grassed area to the south of the building is overshadowed by trees and ground mounted panels there would impact on the GSHP. The area to the west is also overshadowed and would require the removal of fruit trees. The land to the north of the orchard needs to be kept clear for access to nearby agricultural land. The appellant considers that as well as being less efficient, these options would have a worse impact on the setting of the listed building. Nevertheless, a lack of alternatives for the solar panels is not a reason to allow development or works that would be harmful.
17. The appellant refers to solar panels fitted on other listed buildings nearby including in Kendal. However, I have seen no further details relating to these, including whether the host properties are listed and if they were the subject of planning applications. As such, I cannot be sure that the circumstances that led to those existing developments are the same as in the case before me. Accordingly, since it has not been demonstrated that they are comparable to the appeal proposal, which I have in any event considered on its individual merits, they do not justify the appeals before me.
18. I have also considered the appellant's argument that the works would be reversible and the panels are temporary in nature and could be removed and the stored tiles reinstated. However, whilst they may be time limited by the

longevity of their technology, no indication as to the likely lifespan of the panels or possible timescale for their removal is given. In practical terms, it seems to me that they would be likely to be in place for a number of years. As such, the harm that would be caused, even over a temporary period, would still be significant.

19. Bringing matters together, I therefore conclude on the main issue that the proposal would fail to preserve the special interest of the listed building. I give this harm considerable importance and weight in the balance of these appeals.

Heritage Balance

20. The Framework advises at paragraph 205 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I find the harm to the heritage asset to be less than substantial in this instance, but nevertheless of considerable importance and weight. Paragraph 208 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
21. Addressing climate change and promoting renewable energy and low carbon energy are aims of the Framework which states at paragraph 157 that the planning system should support the transition to a low carbon future in a changing climate. Paragraph 163 of the Framework concerns applications for renewable and low carbon development and requires local planning authorities to recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions (a).
22. At a local level, the Council has declared a climate change emergency and is committed to supporting the transition to a lower carbon future. Policy DM53 of A Local Plan for Lancaster District Part Two: Review of the Development Management Development Plan Document (DMDPD) supports proposals for renewable and low carbon energy schemes, where the impacts are or can be made acceptable.
23. The appellant is passionate about energy efficiency and seeks to make the environmental impact of the appeal building as small as possible. The panels would power the GSHP to heat the dwelling. The energy efficiencies and financial savings from reduced energy bills would enable the appellant to invest in the listed building to ensure it remains in good repair and is maintained and enhanced. I have also had regard to the argument that the appeal scheme would set an example to the community to encourage similar initiatives. These are all public benefits of the proposal.
24. However, whilst I appreciate the advantages of micro generation and acknowledge that small installations such as the appeal scheme in large numbers could help to prevent the adverse effects of climate change, it remains that the public benefits arising from the appeal scheme in these regards would not be great given the modest scale of the proposal. As such, the public benefits arising from these matters are of only limited weight. No other public benefits have been put forward which would outweigh the harm to the designated heritage asset I have identified.

25. For these reasons the proposed development and works would be contrary to DMDPD Policy DM29 which requires development to contribute positively to the identity and character of the area through good design, and to DMDPD Policy DM37 which states that where the significance of heritage assets can be harmed or lost, any harm will only be permitted where this is clearly justified and outweighed by the public benefit of the proposal. The proposal would also fail to satisfy the requirements of the Act and paragraph 203 of the Framework.

Conclusion

26. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

E Worthington

INSPECTOR