



Appeal Decision

Site visit made on 3 June 2024

by L Fleming BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 JUNE 2024

Appeal Ref: APP/M2515/Y/24/3337569

5 Lindum Terrace, Lincoln LN2 5RP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Richard Wherry against the decision of City of Lincoln Council.
 - The application Ref is 2023/0333/LBC.
 - The works proposed are proposed solar photovoltaic panel roof top array.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposed development / works would preserve the grade II listed 5 and 6, Lindum Terrace or its setting and any features of special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the City of Lincoln Conservation Area No 3 – Lindum and Arboretum Conservation Area.

Reasons

3. The appeal property forms half of a pair of semi-detached dwellings which together comprise the grade II listed 5 and 6, Lindum Terrace (Nos 5 & 6 Lindum Terrace). It is also within the City of Lincoln Conservation Area No 3 – Lindum and Arboretum Conservation Area (CA).
4. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. Furthermore, paragraph 205 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Significance of Nos 5 & 6 Lindum Terrace and the CA

5. Nos 5 & 6 Lindum Terrace is a substantial two storey building with attics. It was built in 1864 in grey brick, with stucco dressings and a slate roof. It has a variety of high quality traditional architectural features, particularly, chimney stacks, pedimented gables, bracketed eaves and headed windows with keystones and bay windows. Within the grounds of the appeal property is a traditional coach house which has been converted to a residential annex adjoining a garage and store. The listed building sits in two large plots

prominently facing the road overlooking the arboretum. Insofar as is relevant to this appeal the significance of Nos 5 & 6 Lindum Terrace derives from its high quality traditional architectural detailing and prominence in the street scene.

6. The CA is dominated by what were originally large residential villas which include the appeal property. The buildings are high quality reflecting prosperity during the 19th century. They are formally but spaciouly arranged interspersed with mature trees and landscaping and generally orientated to overlook the arboretum. Thus, insofar as is relevant to this appeal, I find the significance of the CA is founded on the quality of the traditional architecture, the positioning and layout of the built form and its relationship with the arboretum.

Effects on Nos 5 & 6 Lindum Terrace and the CA

7. Some 18 solar panels would be attached to the west facing roof slope and 10 fixed to an east facing roof slope. They would be sensitively fixed to the slate roof via brackets attached to the roof structure utilising existing service runs. I find the installation of the scheme would not result in the loss of or damage to any historic fabric. Furthermore, the proposed solar panels could also be easily removed without harm. I also note that alternative locations for solar arrays at the appeal property have been explored and discounted. However, the full details of those alternatives and detailed technical reasons for them being discounted are not before me.
8. I also acknowledge the approved scheme which involves installing solar panels on the garage roof slope which would be visible from the road through the access drive. I accept the proposed development would negate the need for that scheme to be implemented, but the garage is single storey and set well back into the plot. That approved scheme is not comparable to the appeal scheme which involves a much more substantial solar array installation to the main roof of No 5 Lindum Terrace. I accept opportunities to reduce energy use at the appeal property are limited, particularly because of its traditional single glazed windows. I note the attempt to adhere to Historical England guidelines¹.
9. I have also considered the numerous examples of approved schemes, new development, alterations and extensions to historic buildings nearby which involve modern features such as large roof lights and solar panels. However, even though the full details of all those examples are not before me, none of them affect the grade II listed Nos 5 & 6 Lindum Terrace in a way which is comparable to the appeal proposal.
10. Even though black, the proposed solar panels would have a highly modern appearance. The proposed group of 18 panels would cover the majority of the west facing roof slope forming a large continuous rectangular modern addition. Even though this is not the main roof slope facing the road, the proposed panels would be noticeable, from Upper Lindum Street and would also be visible from a variety of vantage points within the surrounding buildings or from within their private outside spaces. Through their scale and highly contemporary appearance they would have a dominant and visually conflicting effect on the listed building. Consequently, the proposed solar panels on the

¹ Energy Efficiency and Historic Buildings Solar Electric (Photovoltaics), Historic England October 2018, revised November 2018

west facing roof slope would have the effect of drawing attention away from the traditional architectural detailing of the heritage asset. For these reasons, the proposed solar panels would harm the significance and fail to preserve the grade II listed building.

11. Furthermore, irrespective of how visible the proposals may be from public vantage points, as incongruous features within the CA, which I have found would be harmful to the significance of a traditional building within the CA, it follows that the proposals would also fail to preserve the character, appearance and significance of the CA as a whole.
12. The harm I have identified to the significance of both heritage assets would be less than substantial. In which case the Framework requires the harm to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
13. The proposed solar panels would have the environmental benefit of renewable energy generation. The Council has declared a Climate and Environmental Emergency. The proposal would help to meet the objectives of the Lincoln 2030 Climate Action Plan and would accord with the carbon reduction aims of Policy LP18 of the Central Lincolnshire Local Plan (2023) (LP). I also note paragraph 164 of the Framework says significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings. However, the combined benefits of the scheme are modest. Even if I accepted them all as public benefits, they would be insufficient to outweigh the great weight I attach to the harm I have identified to the designated heritage assets in this case.
14. In reaching these conclusions I have also noted the comments about the Council's handling of the appellant's proposals. However, I confirm I have determined the appeal on its planning merits only.
15. Overall, I find the proposed development / works would fail to preserve the grade II listed building and its features of special architectural or historic interest and would harm the character, appearance and significance of the CA. For these reasons the scheme would also on balance fail to accord with the development plan, particularly it would be in conflict with Policy S57 of the LP which amongst other things seeks to ensure that proposals do not cause harm to designated heritage assets.

Conclusion

16. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR