



Appeal Decision

Site visit made on 21 May 2024

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2024

Appeal Ref: APP/Y3940/D/24/3341096

33 Park Lane, Chippenham, Wiltshire SN15 1LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Neil Coulson against the decision of Wiltshire Council.
 - The application Ref is PL/2024/00588.
 - The development proposed is solar Panel installation to the front elevation of the main house with an additional 3 rows of solar panels mounted at a 20 degree angle on the flat roof extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's evidence indicates that the planning application did not meet its validation requirements. As the application was decided by the Council, I have proceeded on the basis that it was validly made.
3. The Chippenham Neighbourhood Plan 2023-2038 (CNP) was made on 29 May 2024 and now forms part of the development plan. As this took place after the appeal was lodged, I have sought further comments from the parties and taken those into account in my consideration of the appeal.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Chippenham Conservation Area.

Reasons

(i) Significance of the Conservation Area (CA)

5. The CA covers a large part of the centre of Chippenham and it has multifaceted significance, reflective of Chippenham's various phases of historic development. As part of the CNP, an updated Chippenham Conservation Area Character Appraisal (the "Appraisal") was conducted. It identifies a number of character areas which combine to create the character of the CA as a whole. The appeal site falls within Character Area 2: Park Lane. Park Lane is described as an historic route which, together with St Paul Street, owe their development to the coming of the railway and the subsequent industrial development to the north of the town. The north side of Park Lane was developed towards the end of the 19th Century. It creates a strong linear statement with steep pitched roofs, chimneys and full height bays emphasising the vertical scale comparative to

the buildings on the south side of the street. The near constant use of stone facades and tiled roofs adds a strong sense of homogeneity. Whilst there are some examples of poorly conceived modern interventions present, Park Lane nonetheless contributes to the significance of the CA as a well-designed, Victorian extension to the town.

6. 33 Park Lane sits at the end of a terrace which gradually steps up in height to follow the gradient of the road. The terrace has a consistent design and materials palette, with stone facades and bay windows below tiled roofs punctuated by chimney stacks. St Paul Street joins Park Lane opposite the site, from which No 33 and its terrace is highly prominent. The terrace is identified in the Appraisal as having "Good Townscape Merit, and I agree that it makes a clear, positive contribution to the significance of the CA.

(ii) Assessment of the effect of the proposed development on the significant of the asset

7. The solar panels would cover a substantial part of the roof facing the road, the most architecturally important, public aspect of the house. Whilst the view of the roof might be oblique when approaching up Park Lane, the panels would be clearly visible from the street when closer to the appeal site. In particular, they would be very apparent from St Paul Street. Their utilitarian, flat and dark profile would be jarringly at odds with the crafted appearance and texture of the tiled roofs which currently prevail and serve to unify the linear terracing along Park Street.
8. Further solar panels would be mounted on the outbuilding to the rear of the house aside Parkside. Parkside has a less defined character with a mix of outbuildings, roof styles, car parking areas and garages as well as houses. When viewed from Parkside towards Park Lane, those panels would also be seen in the context of the newer residential development opposite the appeal site. These panels would not therefore cause harm.

(iii) Conclusion on the effect of the proposal on the heritage asset

9. The solar panels to the front roof slope would not preserve the character or appearance of the CA as a whole and would harm the significance of the heritage asset. This harm would be less than substantial and in accordance with Paragraph 208 of the National Planning Policy Framework (the Framework), should be weighed against the public benefits of the proposal. That balancing exercise must take place in the context of s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA), which sets a strong presumption against a grant of planning permission for development that would fail to preserve or enhance the character or appearance of a Conservation Area.
11. By reducing the reliance on fossil fuels, the solar panels would contribute to carbon neutrality which would be a public benefit. I am particularly mindful that Wiltshire has a large carbon footprint, and that the Chippenham community has proactively sought to resolve this situation through the CNP. I also recognise that solar panels can in certain circumstances be sited in a CA in a manner which is sympathetic, and in this case the appellant has sought to address energy efficiency at the property in a variety of alternative ways. Whilst I have given significant weight to the need to support energy efficiency through solar panel installations, ultimately the public benefits of this small

development would not provide the clear and convincing justification for the harm to the CA, the conservation of which I am obliged to assign great weight.

12. The proposals would therefore conflict with Wiltshire Core Strategy 2015 policies 57 and 58 and CNP policy TC4 which seek to conserve, protect and where possible enhance the historic environment. It would also conflict with the requirements of paragraphs 135, 203 and 212 of the NPPF and the duty under the PLBCAA to pay special attention to preserving or enhancing the character or appearance of the CA.

Other Matters

13. I have been referred to other buildings, including listed buildings, which have had roof alterations and solar panel installations. However, I do not have the details of those works or the assessments made against their impact on the significance of the relevant heritage asset. I have considered the appeal proposal on its individual merits.
14. Whilst Chippenham Town Council supported the application, for the reasons given I have arrived at a different conclusion on the balance between the public benefit of the proposal and the harm caused to the CA.

Conclusion

15. The proposal conflicts with the development plan when read as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR