



Appeal Decision

Site visit made on 25 July 2023 by I Chukwujekwu BSc MSc MIEMA CEnv
AssocRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/M9496/D/23/3316512

Chapelsteads Farm, Wormhill, BUXTON, SK17 8SL

- 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 Mrs Carol Jackson against the decision of Peak District National Park Authority.
 - The application Ref is NP/HPK/0922/1194.
 - The development proposed is the installation of a solar panel to garage roof.
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Decision

1. The appeal is allowed, and planning permission is granted for the installation of a solar panel to garage roof at Chapelsteads Farm, BUXTON, SK17 8SL in accordance with the terms of the application, Ref NP/HPK/0922/1194, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos. ROB/CF/04 & ROB/CF/05.
 - 3) The solar panel shall be installed in accordance with details that shall first have been submitted to and approved in writing by the National Park Authority showing a solar panel of uniform dark colour without a contrasting silver metal border. Once approved the panels shall be installed in full accordance with the agreed details.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are whether the proposed development would preserve or enhance the character or appearance of the Wormhill and Hargatewall Conservation Area (the 'CA'), and the effect on the setting of the nearby listed buildings.

Reasons for the Recommendation

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a duty upon the decision-maker, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing

the character or appearance of conservation areas. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a duty upon the decision-maker to consider the impact of the proposal on the special architectural and historic interest of the setting of nearby listed buildings.

5. The National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
6. Chapelsteads Farm is a Grade II listed mid-18th century farmhouse and is part of a historic farmstead. It is an attractive and substantial building constructed in roughcast stone with gritstone dressings, and also retains important historic features including stone slates, plain tiles, mullions and ridge chimney stacks. Nearby to the south of the farmhouse is Chapelsteads Barn, which has been converted to a residential use, and is also Grade II listed, with its significance derived from its architectural and historic interest, and functional relationship with Chapelsteads Farm.
7. The CA covers a shallow valley with various groupings of buildings which are linked together by the road and associated woodlands. It is read as an agricultural community, in which farms are the predominant building type, mainly comprised of rubble limestone with heavy gritstone dressings for doors, windows, quoins and roof copings. Its significance is largely derived from the traditional form, and consistency of architecture and detailing. As such, the aesthetic value of the buildings within the CA are of heritage interest, taken as a whole.
8. The solar panels are proposed on the south-facing roof plane of a modern double garage built circa 2004, which the appellant highlights is in itself a building of no historic merit or interest. Whilst this may well be the case, the garage has been built in a manner reflective of the traditional vernacular and its appearance and features are of an appropriate design given its position within the setting of the listed buildings and in the CA.
9. I recognise that the collective scale and modern gloss finish of the panels would represent a variation from the more textured and recessive natural roof finishes in the surrounding area. However, despite their more shiny and manufactured appearance, the panels would retain a darkness of appearance, with a black frame also indicated as feasible. I also note that the solar panels would be set flush into the roof plane, which would not therefore result in any protrusion and visual impact for this reason. Furthermore, it was evident that there have already been more modern interventions to the roof of Chapelsteads Barn in the form of rooflights.
10. Based on my observations and the evidence submitted, I am not persuaded that the solar panels would represent a discordant addition at odds with the visual coherence of the garage in this context. The alterations would cover a comparatively limited area of roof on a more modern, albeit traditionally designed building. Furthermore, given the observed spatial relationships with the adjoining listed buildings, the considerable setback from the road and backdrop of mature trees, and the detailed design of the solar panels and frame set within the roof plane, I am satisfied that there would not be resultant

harm to the setting of the listed buildings or the character and appearance of the CA.

11. In reaching my conclusions, I have also had regard to the guidance contained within the Peak District National Park's Detailed Design Guide *Supplementary Planning Document: Alterations and Extensions (2014)* (the 'SPG'). The document explicitly refers to the addition of solar panels on roofs (paragraph 2.12) and reflects on the impacts that they may arise, going so far as to highlight that it is sometimes preferable to locate panels on the ground as a less intrusive alternative. In this regard, I note the concession by the Council that options to locate the solar panels on the ground would be limited as the only area of open land accessible to sufficient sunlight would be in front of the farmhouse, which would result in harm to the setting of the farmhouse.
12. In this regard, I find that the reference by the appellant to Core Strategy policy CC2 and the spatial strategy for low carbon and renewable energy development, to be a pertinent consideration. In particular, where the policy sets out encouragement for low carbon and renewable energy proposals, provided that they can be accommodated without adversely affecting cultural heritage assets, and I find that in conjunction with paragraph 164 of the Framework that this adds significant weight in assessing the proposals.
13. I disagree with the Council's stance that the development must be regarded solely as a private benefit, given the wider implications related to the reduced need to draw energy from the grid, although I recognise that this comment was made in the context of the heritage balance related to defining less than substantial harm. The generation of energy in a sustainable manner must be considered as a benefit of the scheme, although the comparably small scale of the development means that any benefits would be modest. Nevertheless, this must additionally weigh in support of the development.
14. For the above reasons, I find that the proposed solar panels on the garage roof facing the road would not adversely affect the setting of the listed buildings, and would preserve the character and appearance of the CA. The proposal would not conflict with Sections 66 & 72 of the Act, and whilst there would be some limited conflict with the SPG in respect of the modern materials, the development would accord with Policies DMC5, DMC7 and DMC8 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document (Adopted October 2011). I am also satisfied that there would not be conflict with the aims and objectives of the Framework.

Conditions

15. In addition to conditions related to the timeliness of the development and the identification of plans, a condition requiring the submission of details of the solar panel incorporating the use of a uniform dark colour including the border of the panel prior to installation, would be necessary in the interests of preserving the character and appearance of the conservation area and protecting the setting of the listed buildings.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Ifeanyi Chukwujekwu

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed, subject to the conditions listed.

Martin Seaton

INSPECTOR