



Appeal Decision

Site visit made on 28 October 2024

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/A4520/Y/24/3345610

St. Nicholas Vicarage, Hedworth Lane, Boldon Colliery NE35 9JA

- 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 James Alderton of The Church of England Diocese of Durham against the decision of South Tyneside Council.
 - The application Reference is: ST/0114/24/LBC.
 - The works proposed are described as: Proposed Solar Panels on the South Elevation Roof.
-

Decision

1. The appeal is allowed and listed building consent is granted for solar panels on the south elevation roof at St. Nicholas Vicarage, Boldon Colliery NE35 9JA in accordance with the terms of the application Ref: ST/0114/24/LBC and the plans submitted with it, subject to the following condition:
 - 1) The works hereby permitted shall begin not later than three years from the date of this decision.

Main Issue

2. The main issue in this appeal is whether the proposal would preserve a Grade II listed building, Vicarage of Saint Nicholas, Hedworth Lane, Boldon Colliery [List Entry No: 1299605], and any of the features of special architectural or historic interest that it possesses.

Reasons

3. St. Nicholas Vicarage dates from approximately 1882 and was listed Grade II in 1985. It is a two storey house with a projecting, two storey, front wing on the south east elevation and single storey wing to its north east side. It is constructed in snecked ashlar with dressed stone quoins and dressed stone heads and cills to the window openings.
4. The main, two storey, part of the house has a double pile roof with a linking section and presents two gables to each end. The projecting front wing also has a pitched roof terminating in a gable, whilst the single storey side wing has a hipped roof. The roof eaves of the front wing are set slightly below the level of those on the main part of the house. All the roofs are finished in slate. The main roof has simple, painted timber, bargeboards to the verges and plain, roll top, ridge tiles. The roof has three stone built chimney stacks. A smaller flue, finished in a cement render, is located at the west end of the ridge to the southern section of the double pile roof.

5. From the submitted Heritage Statement and from what I saw when I visited the site, the significance of the building is derived from its architectural interest as a purpose built vicarage and it has evidential value in terms of the materials, building techniques, and architectural tastes of the time. It also has aesthetic value derived from its built form, materials and detailing, and its location relative to the road and the neighbouring church. The building has historic interest due to its age, relationship with the neighbouring church, and its association with community of the village. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with its architectural and aesthetic value and its historic relationship with the nearby church.
6. The proposed photovoltaic panel installation would comprise ten panels and, overall, would be 5.7 metres in width and 2.8 metres in depth. It would be mounted to the south east facing plane of the main roof of the house using a hook and rail system. This would involve removing a number of slates to allow them to be cut in order to accommodate the hooks that carry the rail, and which are screwed in place on the rafters. The installation would cover much of this part of the roof plane, which is visually separated from the remainder of the main roof to the southern range by that of the projecting front wing.
7. Whilst the Council concluded that the proposed works would result in less than substantial harm to the significance of the listed building, in its submissions the Council neither identifies what it considers the significance of the building to be, nor what harm would result to that significance from the proposed works.
8. The Council's reasoning relies on a Historic England guidance note which sets out that it is not generally considered sympathetic to a building's appearance to have a solar panels or other equipment fixed to its main elevations. From the wording used in the Planning Officer's report, which refers to an unsympathetic, contemporary, addition, the harm alleged by the Council can, in the absence of a more explicitly set out reason, only be to the aesthetic value of the building.
9. The proposed photovoltaic panels would be installed on the roof slope of the principal elevation of the building. It would result in a structure that would stand proud of the roof plane and, although dark in colour, would have a different appearance in terms of texture and reflectivity to that of the current slate roof. Nonetheless, it would not result in the loss, or obscuration, of any of the eaves, verge, or ridge detailing on the roof, nor would it interfere with any of the chimneys. Apart from necessitating the cutting of a small number of slates and the introduction of flashing or proprietary inserts to ensure that there is no water ingress where the mounting hooks for the support rails would be installed, there would be no effect on the historic fabric of the building.
10. The appellant has suggested that the proposal would not harm the listed building because mature trees present on the property boundary and within the site provide an element of screening from outside of the site. Notwithstanding that this screening is seasonal, at the time of my site visit many of the deciduous trees has shed some or all of their leaves and the roof plane was clearly visible from the footway of Hedworth Lane, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.

11. The evidence indicates that exterior of the building is largely unaltered from when it was originally constructed. The proposal would undoubtedly change the appearance of the principal elevation of the building by introducing a prominent new feature to the roof slope, using components and materials not historically found on buildings of this nature. The form of the roof, particularly the multiple gables, makes an important contribution to the aesthetic value of the building. The aesthetic value would be diminished by the proposed works, and this would be harmful to the significance of the building. That, said the harm would be restricted to one element of the principal elevation and the works would not result in the loss, or concealment, of any architectural features or details and the overall form of the roof would remain legible. In this context, I find that the harm would be less than substantial.
12. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires decision makers to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
13. Paragraph 205 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 208 of the Framework sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
14. The appellant identifies the potential benefits of the scheme as being the production of renewable energy, reduced use of electricity from the national grid, and reduced energy bills for the building. The Council accepts that the first two factors are a public benefit but that this does not outweigh the harm to the listed building.
15. The proposed photovoltaic panel installation is not large and, consequently, the public benefit arising from production of renewable energy and lower draw on the national grid is necessary modest. Although considerable importance and weight must be given to the conservation of the listed building, the proposed works, whilst permanent in nature, are also modest in scale and would be readily reversible. The works would result in a relatively minor change to one element of the building that contributes to its appearance, and this would reduce its aesthetic value. However, this change would not so fundamentally alter the building that, taken overall, the ability to understand and appreciate its appearance would be compromised. As a result, I find that the extent of the harm would also be modest.
16. The best use of a heritage asset can often be the use for which it was originally designed and built, in this case as a dwelling for the vicar of the nearby church. A reduction in the energy bills for the property could lead to additional funding being available for the investment in other aspects of the maintenance necessary for the long-term conservation of the building. It would thus help secure the optimum viable use of the building. Taken together, these public benefits of the proposal would outweigh the harm that would be caused.
17. Given the above, I conclude that the proposed works would preserve the special architectural interest of the Grade II listed building thus satisfying the requirements of the Act, paragraph 203 of the Framework and Policy DM6 of

the South Tyneside Local Development Framework Development Management Policies 2011 which expects development proposals to protect, preserve, or enhance heritage assets insofar as it is relevant.

Other Matters

18. The appeal building is also within the wider setting of the Grade II Listed St Nicholas Church [List Entry No: 1025225]. The church was built in 1882 to serve the new community that had grown around the nearby colliery. The appeal building contributes to this setting through its historical and functional association with the church thus aiding the understanding of the significance of the latter. The proposed works would not alter this historical and functional association and would not cause harm to the setting of St Nicholas Church.

Conditions

19. I have had regard to the conditions that have been suggested by the Council. Apart from the standard condition relating to the duration of the consent the Council have only suggested one other condition that it considers to be necessary. This condition is in respect of a list of the approved plans. This condition is not necessary because listed building consent is given for the works as set out in the application and the formal decision above. Unlike planning permission, there is no provision for an application for a minor material amendment to a listed building consent and so such a condition would serve no purpose.

Conclusion

20. For the above reasons, I therefore conclude that the appeal should be allowed.

John Dowsett

INSPECTOR