



Appeal Decision

Site visit made on 10 December 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal Ref: APP/D3505/D/24/3346481

Pettwood, Ipswich Road, Holbrook, Suffolk IP9 2QT

- 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 Daniel Saulter against the decision of Babergh District Council.
 - The application Ref is DC/23/05434.
 - The development proposed is the erection of ground based solar panels.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of ground based solar panels at Pettwood, Ipswich Road, Holbrook, Suffolk IP9 2QT in accordance with the terms of the application, Ref DC/23/05434, and the plans submitted with it, 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 2859:22:00, 2859:22:05, 2859:22:10 and 2859:22:11.

Applications for costs

2. An application for costs was made by Mr Daniel Saulter against Babergh District Council. This application is the subject of a separate decision.

Preliminary Matters

3. A revised National Planning Policy Framework was published on 12 December 2024. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the site and the setting of the grade II listed buildings, Pettwood and the Former Sunday School at Pettwood.

Reasons

5. The appeal site is an area of land set within the grounds of the building, Pettwood. It is located between a recently constructed pool house, also within the grounds of

Pettwood, and a residential cul-de-sac, Pettwood Gardens. The site is currently unoccupied and largely enclosed by a brick wall around the pool house and laurel hedging on the site boundary. The proposal would introduce 27 ground based solar panels to the appeal site.

6. Pettwood, the main building on the site, and the Former Sunday School at Pettwood, a large outbuilding adjacent to the main building, are both grade II listed buildings. It appears that their significance is derived, at least in part, from the antiquity of the structures and from their status as well preserved examples of vernacular buildings of their age and type. The open and verdant setting of the buildings within the wider grounds and garden contributes to how these assets are appreciated and this setting makes a positive contribution to the significance of the listed buildings. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest.
7. Due to their height and the presence of the pool house and its surrounding wall and hedging, the proposed solar panels would not be directly visible from either of the listed buildings or much of the surrounding area. However, as they would be set within the historic grounds of the listed buildings, the proposal would still be located within their wider setting. Nevertheless, this section of land does not currently form part of the well-maintained garden around the listed buildings and therefore has a neutral impact upon its setting. Glimpses of the proposed solar panels from this garden and the driveway when entering the site would be fleeting and there would be limited opportunity for both the proposed solar panels and the listed buildings to be visible at the same time. Consequently, although the grounds and gardens are a significant element of both listed building's significance, the proposal would preserve their overall setting.
8. Although the solar panels may only be temporary in nature, their life span is significant and would result in further development within the grounds around Pettwood. However, due to the presence of suitable screening and the subsequent lack of visibility from the wider area, they would have a limited impact upon the historic character and appearance of the grounds and would sufficiently safeguard the existing character of the site.
9. Therefore, the proposed development would not harm the character and appearance of the site or the setting on the two listed buildings, Pettwood and the Former Sunday School at Pettwood and would not conflict with Policies LP19 and LP24 of the Babergh and Mid Suffolk Joint Local Plan Part 1 (2023). These policies seek to ensure that proposals respond to and safeguard the existing character/context and that the Councils take account of the contribution any designated heritage assets make to the character of the area and its sense of place, which are preserved, enhanced or conserved in accordance with the statutory tests.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision.

11. The Council have requested a condition relating to the submission of manufacturers literature and/or elevation section drawings for the screening of the solar panels. However, as the existing screening on the appeal site is considered to be sufficient, this condition is not necessary and has therefore not been included.

Conclusion

12. For the reasons given above the appeal is allowed.

E Grierson

INSPECTOR