



Appeal Decision

Site visit made on 21 January 2025

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/U1105/D/24/3355857

1 Charles Court, Lymestone, Exmouth, Devon EX8 5EL

- 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 Manu Parpia against the decision of East Devon District Council.
 - The application Ref. is 24/1359/FUL.
 - The development proposed is the installation of solar panels to the front (west elevation).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character or appearance of the Lymestone Conservation Area.

Reasons

3. The Officer's Report on the appeal application explains that the appeal dwelling is a semi-detached two storey dwelling situated in the village of Lymestone, with its principal elevation facing west. Although solar panels have been approved on the roof slopes of neighbouring properties, including Nos. 4, 6 and 11 Charles Court, these are not the principal elevations and would not be highly visible when seen from public vantage points. I note that this is disputed by the appellant.
4. On my visit I saw that the appeal dwelling is one of four buildings along the northern boundary of the recent Charles Court development of ten houses on the site of a former nursery. The development is essentially of a contemporary design with a notable consistency of built form and external materials that give it a distinctive character and appearance.
5. The northern gable and principal (western) elevation of No. 1 are prominent in public views from Church Road and the adjoining green space. The latter includes a public footpath that runs from the church grounds and joins the access road for the development at the corner of the dwelling's north and west elevations. And although it recedes southwards, the large western roof plane of No. 1 can clearly be seen in both long and short views along Church Road and the adjoining open green space.

6. As mentioned in paragraph 3 above, solar panels have already been approved on other houses at Charles Court and as a contemporary feature in a modern development they are to some extent in keeping with their context. However, the appeal application plans shows two rows of panels, totalling 22 in all, across effectively the full length of the roof and about three quarters of its depth.
7. I consider that a solar panel display of this intensity would draw the eye in both the long and short views from outside the area of the development as referred to above. And although the visual impact of the installation of solar panels is subjective, I find that in this case with the great majority of roof covered in such a prominent location they would be harmful to the character and appearance of the conservation area, with the harm caused amounting to 'less than substantial'. There would therefore be conflict with Strategy 39 and Policy E10 of the East Devon Local Plan 2013-2031 adopted in 2016 and with Government policy in Section 16: 'Conserving and Enhancing the Historic Environment' of the National Planning Policy Framework ('the Framework') revised in December 2024. I see no reason to alter this view on the basis of the prominence or otherwise of the installations of solar panels with the Council's approval at Nos. 4, 6 and 11 Charles Court as I have made an individual appraisal on the impact of the appeal scheme.
8. The conservation area is a designated heritage asset and paragraph 215 of the revised Framework says that where a development 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. In this instance the main benefit is a private one for the appellant in the form of reduced energy costs.
9. However, there is also a public benefit as regards renewable energy and I have noted the appellant's calculations that the proposed installation on the western roof slope is the most efficient. I am also aware of the energy policy of the Government to promote renewable provision of supply and that solar panels on domestic roofs will in aggregate make an important contribution towards this objective. Nonetheless, my conclusion in this particular case is that the incremental public benefit of solar energy at the appeal dwelling would not outweigh the harm caused to the character and appearance of the conservation area.
10. The appeal therefore fails.

Martin Andrews

INSPECTOR

