



Appeal Decision

Site visit made on 6 May 2025

by **S Heywood BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 June 2025

Appeal Ref: APP/P4415/D/24/3355631

Moat Barn, Moat Lane, Wickersley, Rotherham S66 1DZ

- 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 Sharon Auburn against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref is RB2024/0638.
 - The development proposed is the installation of ground mounted solar panels for non-commercial use, including associated equipment, mounting frames, cabling, inverters and battery storage.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of ground mounted solar panels for non-commercial use, including associated equipment, mounting frames, cabling, inverters and battery storage at Moat Barn Moat Lane, Rotherham S66 1DZ in accordance with the terms of the application, Ref RB2024/0638, 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 numbers: PL-A-01 Rev A, PL-A-03 Rev A, PL-A-05 Rev A, PL-A-06 Rev A.
 - 3) In the event of the solar panels no longer being required to produce electricity, the solar panels and ancillary equipment shall be dismantled and removed from the site.
 - 4) No development shall commence until a plan has been submitted to and approved in writing by the local planning authority showing the cable route from the solar panels to the existing garage and measures to protect existing trees along the route. The development shall be carried out in accordance with the approved details.
 - 5) No development shall commence until a full specification of all proposed tree and hedge planting has been submitted to and approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions of all trees and hedges to be planted, how they will be planted and protected and the proposed time of planting. The tree and hedge planting shall be carried out in accordance with the approved specification and thereafter retained.

Preliminary Matters

2. I have used the description of development from the Council's decision notice above, as this accurately describes the proposal.

Main Issues

3. The main issues in this case are as follows:
 - Whether the proposal is inappropriate development in the Green Belt having regard to relevant national and local planning policies and its impact on openness;
 - Whether the proposal would preserve the setting and special architectural interest of the Grade II listed barn adjoining west end of Moat Farmhouse;
 - If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether the development is inappropriate and its impact on openness

4. The site lies within the Rotherham Green Belt. Policy CS 4 of the Rotherham Local Plan Core Strategy (CS) states that land will be protected from inappropriate development as set out in national policy. Policy SP 2 of the Rotherham Local Plan Sites and Policies document (SPD) states that inappropriate development should only be approved in very special circumstances. The National Planning Policy Framework (the Framework) sets out that development in the Green Belt is inappropriate unless it falls within one of the identified exceptions, none of which apply to the proposed development.
5. The appellants argue that the minimal impact on the openness of the Green Belt would mean that the proposal is not inappropriate. However, this consideration only applies to some of the exceptions in the Framework, none of which relate to the proposed development. I therefore consider openness in relation to the impact of the development below.
6. Paragraph 160 of the Framework states that in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. There is nothing to suggest otherwise in this case. I therefore conclude, on the basis of the case before me, that the proposal would be inappropriate development in the Green Belt. In accordance with paragraph 152 of the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
7. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. In considering the impact of a development on the openness of the Green Belt, Planning Practice Guidance advises that relevant factors may include the spatial and visual aspects of the development, its duration and remediability, and the degree of activity likely to be generated.

8. The appeal site comprises an open, grassed area of land to the west of Moat Barn and to the east of the built-up part of Wickersley. An access drive runs to the south and beyond is further open land to the south and west of Dovecote Farm. Mature trees lie on the boundaries of, and within, the area of land.
9. The proposal would introduce man-made structures on this area of open land. The development would comprise 24 ground mounted solar panels set in two rows. The panels would be a maximum of 1.45 metres high. In terms of the spatial impact on openness, the panels would not cover a significant amount of land either in terms of their footprint, or due to their limited height. They would therefore result in a very limited degree of harm to the spatial aspect of openness.
10. The site is visually contained by substantial trees and shrubbery alongside the brook to the north and a woodland beyond, and trees to the south and south west along the driveway to the property. Additional planting is also proposed to the east of the rows of panels, and this can be secured by a suitable condition. There are therefore limited vantage points from which the development would be visible. In the short to medium term, before the proposed planting has matured, the panels would be visible from the barn and its garden and would be glimpsed when travelling along the driveway. In these views, the limited extent and height of the panels would cause a very limited degree of harm to the visual aspects of openness.
11. Solar panels tend to sit lightly on the land, in that they do not require significant excavation or footings. In this proposal, they would sit upon ballast boxes. As such, the land could be returned to its former open state if the panels were to be removed in the future. A condition can be imposed to ensure that they are removed if they no longer produce electricity. In terms of activity, beyond the installation period and occasional maintenance, the development would not be likely to increase activity at the site.
12. Overall, the development would cause a very limited degree of harm to the openness of the Green Belt. The Council do not claim that the development would harm any of the purposes of including land in the Green Belt and I see no reason to take a different view.
13. Nonetheless, in Green Belt terms, I conclude that the development would be inappropriate development which would cause harm by reason of inappropriateness and harm to openness. Substantial weight is given to any harm to the Green Belt in accordance with the Framework. The Framework also states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I will therefore go on to consider any other potential harm before considering whether very special circumstances exist in this case.

Impact on the listed building

14. The barn is a two-storey sandstone building with red pantile roof constructed in the late 18th, early 19th century. The barn is attached to the western end of Moat Farmhouse which the listing specifies is not of special interest. In so far as relevant to this appeal, the significance of the listed building relates to its historic association to the farmhouse and the group aesthetic of the barn, farmhouse and detached dovecote to the south, clustered around a central courtyard.

15. The group of buildings are set within surrounding countryside although the built-up part of Wickersley has reduced the amount of open land to the west of the group over the course of time. However, the land remains open to the west of the barn, including the appeal site. Views of the rear elevation of the barn can be gained from the appeal site and the remaining green space in which it sits. From this direction, the barn screens views of Moat Farmhouse thus the group value of the barn with its farmhouse cannot be seen from the appeal site and open land to the west of the barn. Nonetheless, this land contributes to a small degree to the setting of the barn as it enables its former functional relationship to surrounding open countryside to be understood.
16. Views of the barn, filtered through trees, can be gained from the western end of the open land. The solar panels would be offset to the north of these existing views and as such these views would remain. There would be a significant separation between the listed barn and the proposed solar panels. As set out above, the footprint and height of the panels would not be significant, and their extent and siting would not impede any views of the listed barn. New hedge planting to the east of the panels would, in the medium to long term, screen views of the panels from the listed barn.
17. The Council state that the key views of the barn are from the east and that the panels would harm the setting of the listed building from these views. However, from the east the main views are of the barn within the courtyard and setting of surrounding buildings. The appeal site and solar panels would be screened in these views by the existing buildings and surrounding vegetation. The proposed solar panels would not therefore be visible in views from the east.
18. I have also had regard to the fact that the proposals would be reversible if they come to the end of their useful life, and the development would not require intrusive construction on the land. Both factors would minimise the harm caused to the setting of the listed building.
19. Nonetheless, in diminishing the amount of open land surrounding the barn, the proposal would cause some minor harm to its setting. It would therefore fail to preserve the setting and special architectural interest of the Grade II listed barn. This would cause a low level of less than substantial harm to the listed barn adjoining west end of Moat Farmhouse through development within its setting.
20. Policy CS 23 requires the setting and significance of heritage assets to be conserved and enhanced. SPD policy SP 40e gives support for alterations to listed buildings to mitigate climate change where they will respect the significance of the listed building and will not have an adverse impact on its appearance, character or historic fabric. The development would not cause harm to these aspects of the listed building. Nevertheless, the policy specifically seeks to prevent development which would have an adverse effect on the setting of listed buildings. The development would fail to comply with these aspects of the policies.
21. Paragraph 212 of the Framework sets out that great weight should be given to a heritage asset's conservation irrespective of the level of harm to its significance. Paragraph 215 of the Framework requires that where a proposal leads to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits of the proposal. I consider these below.

Other matters

22. The Officer's Report refers to the National Design Guide and the Framework's references to good design. The Report does not elaborate on aspects of the design of the scheme apart from its impact on the setting of the building. The reasons for refusal also do not reference poor design.
23. Solar panels tend to be functional in design and appearance. However, good design includes aspects of siting and landscaping. Having regard to these factors, the proposals would respect the site and surrounding landscape. The proposals would not therefore cause harm due to poor design.
24. The immediate surroundings of the appeal site have a semi-rural, domestic character which includes the detached garage to the barn, ancillary garden structures and domestic extensions to the dovecote. Due to their discrete siting, minimal footprint and height and the proposed landscaping, the panels would appear as an ancillary domestic feature within the surroundings of the barn. They would not therefore urbanise the character of the surroundings which would remain semi-rural and domestic in nature. No harm would therefore be caused to the character of the surroundings.

Public benefits and planning balance

25. The public benefits of the proposal are the contribution the solar panels would make towards the reduction in greenhouse gases and the Government's stated aim for the country's transition to net zero by 2050, as set out in paragraph 161 of the Framework. Paragraph 167 of the Framework states that significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings, including domestic buildings.
26. Whilst the proposed energy generation will be for private rather than public consumption, reducing the building's carbon footprint would contribute to reducing greenhouse gases. This is a public benefit in helping to meet the net zero target.
27. The Council say that the contribution made by one dwelling would not be significant, however the cumulative impact of such proposals must be considered. The Framework states, at paragraph 168, that local planning authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
28. Historic England Advice Note 18 'Adapting Historic Buildings for Energy and Carbon Efficiency' (HEAN18) recognises the need to adapt historic buildings to meet the challenges of climate change. Paragraph 71 of that document notes that *"the balance is likely to favour proposals which offer meaningful, long term environmental benefits (such as improving energy efficiency, thus reducing carbon emissions and helping to achieve Net Zero) whilst having a minimal impact on significance"*. Paragraph 100 notes that installation of panels away from the listed building can often be done without any direct harm to the building's special interest, although noting that consideration will need to be given to setting. It advises using hedges to screen the panels. The proposed development, in carefully siting and screening the panels would accord with the advice in HEAN18.
29. The Council claim that a ground or air source heat pump would have less impact on the setting of the building and would generate significantly more energy.

However, the appellant states that such an installation would require significant internal alterations to the heating system. This would potentially have a greater impact on the fabric of the listed building than the proposal before me. The appellant also points out that the solar panels, unlike heat pumps, do not use electricity to operate, thus reducing the amount of electricity required from the grid. In any case, there is no such alternative proposal before me, and I have therefore considered the appeal as submitted.

30. In accordance with the Framework, I give significant weight in favour of the appeal to the renewable energy benefits. The proposal would also provide a biodiversity net gain of 13.73% and this would be a public benefit which provides a limited amount of weight in favour of the appeal.
31. Overall, I am satisfied that there would be wider public benefits of sufficient magnitude to outweigh the low level of less than substantial harm to the heritage asset, having regard to the considerable importance and weight this carries. As such, the proposals would accord with the historic environment policies in the Framework, and the expectations of sections 66(1) and 72(1) of the Act.

Very special circumstances

32. I have set out above that the proposal would cause a very limited degree of harm to the openness of the Green Belt together with the harm by reason of inappropriateness. I give substantial weight to this Green Belt harm. The development would also cause a low level of less than substantial harm to the setting of the listed barn. I have concluded that the harm caused to the heritage asset would be outweighed by the public benefits. Nevertheless, this harm must be added to the harm caused by the proposed development.
33. On the other hand, there is an urgent need for renewable energy to mitigate the climate emergency and achieve net zero targets. In this case, the harm caused would be moderated to a large degree by the limited number and height of the solar panels and their careful siting and screening. The Framework notes, at paragraph 168(b), that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Paragraph 160 of the Framework states that very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
34. As the actual harm to the Green Belt is low in this case, I am satisfied that the other considerations, which comprise the contribution to net zero and the biodiversity net gain, clearly outweigh the Green Belt harm and other harm in this case. Accordingly, the very special circumstances necessary to justify the development do exist. The proposal would not therefore conflict with development plan policies CS 4 and SP 2.

Conditions

35. In addition to the conditions referred to above relating to planting and removal if the solar panels become redundant, I have imposed conditions specifying the time-limit and plans for certainty as to what is approved. A condition is also imposed to ensure that trees along the required cable route are protected in the interests of visual amenity and biodiversity.

Overall conclusions

36. Whilst conflict with development plan heritage policies has been identified above, these do not set out the balance of public benefits as set out in the Framework. In accordance with paragraph 232 of the Framework I give greater weight to the Framework in this regard and these policies are not therefore determinative in this appeal. The other material considerations in this case lead me to depart from the development plan and conclude that planning permission should be granted.
37. For the reasons given above, the appeal should be allowed.

S Heywood

INSPECTOR