



Appeal Decision

Site visit made on 15 May 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/Y0435/D/25/3363991

6 South Street, Castlethorpe, Milton Keynes MK19 7EL

- 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 Peter Clarke against the decision of Milton Keynes Council.
 - The application Ref is PLN/2025/0129.
 - The proposed development is described as 'Installation of ground mounted solar panels'.
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Decision

1. The appeal is allowed, and planning permission is granted for the installation of ground mounted solar panels at 6 South Street, Castlethorpe, Milton Keynes MK19 7EL, in accordance with the terms of the application, Ref. PLN/2025/0129, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site location plan
 - Block plan with indicative solar panel locations, produced on 14 June 2022.
 - 3) No development shall take place until details, including the exact location, orientation, elevations and specifications of the proposed panels, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the solar panels shall be retained in the approved location thereafter.

Application for costs

2. An application for costs was made by Mr Peter Clarke against Milton Keynes Council. This application is the subject of a separate decision.

Preliminary Matters

3. There is a snapshot of the location of the panels in the appellant's Design and Access Statement, and that is different from the block plan with indicative solar panels location. For the avoidance of doubt, I have determined the appeal based on the proposed block plan.

4. The appellant submitted a SuDS Statement with the appeal regarding drainage matters. The document does not make any substantive changes to the proposal but rather provides greater explanatory information. The Council were given the opportunity to comment on the document during the appeal process. As such, I am satisfied that neither the Council nor interested parties would be prejudiced by my taking account of it in my determination.

Main Issue

5. The main issue is the effect of the proposed development on flood risk.

Reasons

6. The site comprises a grassed area located to the rear of No 6 South Street. The area is relatively level; however, there is a noticeable gentle slope towards the rear boundary. Beyond this boundary lies a railway line, at a level considerably lower than the appeal site.
7. The general thrust of the National Planning Policy Framework (the Framework) is to ensure that flood risk is not increased elsewhere as a consequence of new development. It encourages the use of sustainable drainage system (SuDS) to control flow rates and reduce volumes of surface water runoff. However, this should be proportionate to the nature and scale of the proposal. To this end Policy FR2 of the Milton Keynes Council Plan: MK 2016-2031 (Council Plan) requires new development to incorporate SuDS to ensure new development can appropriately manage surface water runoff.
8. The appeal proposal seeks to install up to 54 panels, arranged in three sets forming a U-shape on the grassed area. Based on the drawings provided, the total coverage area would be small. The evidence before me does not suggest there have been any problems with drainage on the site previously in relation to run off to the nearby railway line. There would not be any additional footways, buildings or hardstanding, with the exception of the footings to support the proposed panels and the panels would be placed a good distance from the boundary fence. Hence, any additional run off would likely be marginal in volume, which in combination with the separation distance, leads me to find that the existing ground conditions would be capable of dealing with any increase in run-off.
9. My findings are reinforced by those in the SuDS Statement provided which highlights industry analysis that found that solar panels themselves did not have a significant effect on runoff volume, peaks or time to peak. No technical evidence is presented that would undermine those findings. Consequently, the proposal would not increase food risk elsewhere, including to the adjacent railway lines.
10. Overall, I conclude that the proposal would not result in an unacceptable flood risk, therefore it would comply with Policy FR2 of the Council Plan.

Other Matters

11. The appeal site is located within the Castlethorpe Conservation Area (CCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The CCA Review (December 2021) states that Castlethorpe is characterised by a relatively limited number of materials that are used in various ways to create buildings of very different appearance.

Houses in the area are often visually associated with an attractive garden plot. The historic integrity, the high-quality craftsmanship of brick and stone construction, and architectural quality contribute positively to the character and appearance of the CCA as a whole and thereby its significance as a designated heritage asset. Bearing in mind the modest scale and discrete location of the proposed development, it would not interfere or detract from the architectural qualities of the built form or important spaces between them that contribute towards its significance. Therefore, the character and appearance of the CCA as a whole would be preserved.

12. 6 South Street is a Grade II listed building. Section 66(1) of the Act requires me, in considering whether to grant planning permission for 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 features of special architectural or historic interest which it possesses.
13. The appeal site comprises an 18th century house and attached cottage, with 19th century additions. The special interest and significance of this property is principally derived from its architectural and aesthetic qualities which are apparent from South Street. Historic interest stems from the traditional materials and historic fabric embodied in the built form. Further significance comes from rural aspects of its setting, most notably the sense of space and greenery surrounding the building. The appeal site would be within the setting of the listed building. However, the degree of physical separation from the house, modest scale and inobtrusive siting of the solar panels would not undermine the positive rural qualities of the setting. Hence, they would have a neutral impact on the setting of 6 South Street, the significance of which would not be harmed.
14. In the Council's delegated report an observation is made questioning the number of the panels proposed. However, it is clarified that this is not an area of dispute which aligns with advice in paragraph 168 of the Framework whereby the overall need for renewable or local carbon energy need not be demonstrated.

Conditions

15. In addition to the standard time period for the commencement of development, it is necessary in the interest of certainty to list the approved plans. Furthermore, as the proposed block plan presents an indicative layout and there are little details of the orientation, elevations and specifications of the proposed panels, it is necessary to impose a condition to seek these details in the interest of certainty. The Council has suggested a condition to agree a tree survey plan. However, based on the evidence before me I am not convinced that the nature and scale of the development is such that it would be likely to threaten the longevity of trees in the area. Hence, the condition would not be necessary or proportionate in these circumstances.

Conclusion

16. For the reasons given above, and taking into account all relevant matters raised, I conclude that the appeal should be allowed.

O Tresise

INSPECTOR