



Appeal Decision

Site visit made on 25 October 2010

by Roger Mather MA Dip Arch RIBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 November 2010

Appeal Ref: APP/P1133/D/10/2136530

The Old Orchard, Abbotskerswell, Newton Abbot TQ12 5NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - Mrs June Paton makes the appeal against the decision of Teignbridge District Council.
 - The application Ref 10/01475/FUL, dated 14 May 2010, was refused by notice dated 7 July 2010.
 - The development proposed is solar panels on garage roof.
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Decision

1. I dismiss the appeal.

Main issue

2. The main issue raised by this appeal is whether the proposed solar panels would preserve the settings of nearby listed buildings, and whether they would preserve or enhance the character or appearance of the Abbotskerswell Conservation Area.

Reasons

3. The appeal property is a modern building with modern dwellings on either side. Town Farmhouse and Town Cottage across the road date from the sixteenth and fifteenth Centuries respectively, and are listed grade II and grade II*. Several other listed buildings lie nearby, within the Conservation Area. The pattern of development certainly presents an attractive picture. Consequently, the prominent position of the garage in the street demands that any change would fit entirely naturally into the scene, appropriate to the historic context.
 4. For clarity, the relevant considerations are found in the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended, which requires me to pay special regard to the desirability of preserving the settings of listed buildings, and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, when considering whether to grant planning permissions for developments in these locations. The Practice Guide that accompanies Planning Policy Statement 5: Planning for the Historic Environment (PPS5) explains that in coming to a decision on applications for developments within conservation areas, the primary consideration remains the requirements of the Act that proposals should preserve or enhance the character or appearance of such areas.
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Development plan considerations found in saved Policies C31 and C34 in the Teignbridge Adopted Local Plan are consistent with the statutory duties.

5. The visit confirmed that 15 highly visible photovoltaic panels on the garage roof would dominate views of the outbuilding, unduly compromising its appearance in the street scene, when entering the village. I appreciate that the panels would enable the appellant to make a positive contribution to mitigating the effects of climate change, by generating some 40% of her annual energy requirements. That would be consistent with Government policies to encourage measures, which contribute to ambitious targets to reduce carbon dioxide emissions. However, while this lends considerable support to the appellant's arguments, the visit confirmed that where the panels would be seen, travelling northwards into the heart of the Conservation Area, they would appear overly intrusive in the roofslope, so close to the gables. The marginal set-down from the ridge would provide little relief.
6. Consequently, I conclude that a large area of photovoltaic panels would disrupt the pleasing appearance of the listed buildings in the street scene. I therefore further conclude that the proposed solar panels would be damaging to the settings of these listed buildings, which would dilute their contribution to the character and appearance of the Abbotskerswell Conservation Area. Demonstrated benefits, consistent with national policies to reduce carbon dioxide emissions, are insufficient to outweigh the significant harm that would be caused to the historic environment. To permit the works in these circumstances would be to disregard the value to society of heritage assets, which led to the listing of Town Farmhouse and Farm Cottage, and the designation of the Abbotskerswell Conservation Area, as well as the duties imposed by the Act and policies in PPS5. The proposal would thereby conflict with saved Local Plan Policies C31 and C34 too.
7. I have considered all of the other matters brought to my attention but none is of such significance as to outweigh the considerations that led to my conclusions on the main issue. Consequently, paying particular attention to preserving the historic environment, the appeal should not succeed.

Roger Mather
INSPECTOR

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