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# Appeal Decisions

Site visit made on 8 February 2012

**by David Morgan BA MA (IoAAS) MRTPI IHBC**

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

**Decision date: 28 February 2012**

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**Appeal no. 1: Appeal Ref: APP/F1230/E/11/2163116**  
**Baglake Farm, Litton Cheney, Dorchester, Dorset DT2 9AD**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr and Mrs Robin Barbour against the decision of West Dorset District Council.
  - The application Ref 1/D/11/001107, dated 12 April 2011, was refused by notice dated 29 September 2011.
  - The works proposed are to erect 18 no. photovoltaic panels on the roof of a building attached to the house and within the curtilage of the property. Each panel is 1.0m X 1.5m so the array is 9.0m long by 3.0m high and sits less than 150mm above the existing roof covering.
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**Appeal no. 2: Appeal Ref: APP/F1230/A/11/2163117**  
**Baglake Farm, Litton Cheney, Dorchester, Dorset DT2 9AD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Robin Barbour against the decision of West Dorset District Council.
  - The application Ref 1/D/11/000602, dated 12 April 2011, was refused by notice dated 29 September 2011.
  - The development proposed is to erect 18 no. photovoltaic panels on the roof of a building attached to the house and within the curtilage of the property. Each panel is 1.0m X 1.5m so the array is 9.0m long by 3.0m high and sits less than 150mm above the existing roof covering.
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## Decision

1. Both the appeals are dismissed.

## Main Issues

2. These are, in respect of both appeals, a) whether the proposed works and development would preserve the setting of the Grade II\* listed building known as Baglake Farm and b) whether they would preserve the character or appearance of the Litton Cheney Conservation Area.

## Reasons

3. Baglake Farm is an imposing farmstead dating from the C17th, with probably later stabling, cartshed and enclosing walls. The historic complex, still part of a working farm, whilst avoiding any sense of overt restoration, expresses an air of understated, though meticulous care and sound guardianship that credits the appellants. This approach is evident in the wing physically attached to the house to which the photovoltaic panels would be located, which, although

relatively recently extended by an upper storey, successfully engages with the buildings of which it forms a part.

4. The proposals seek the installation of 18 photovoltaic panels on the southern roof pitch of the play room annex immediately to the west of the main house. They would cover an area of approximately 27 square metres and cover over half the existing slate roof area of the southern pitch. The panels would sit approximately 120mm proud of the existing roof plane.
5. The photovoltaic panels, because of their crisp profile, machined lustrous and uniform finish and degree of projection from the plane of the roof, would stand in awkward and dissonant contrast to the softer textures and colours of the natural materials cladding the roof and the integrity of its form, and those of the adjacent listed buildings. Whilst the appellant is right that the panels may only be viewed at close quarters by visitors to the house, this does not mitigate their deleterious effect on the character, special interest and significance of the building. Moreover, the panels would be seen very obliquely from the public bridal way to the north and in more open and contextual perspective from views from along the lane also from the north. Here again the hard, machined and alien character of the panels would be seen in dissonant contrast with the traditional form, detailing and materials of the historic farm group.
6. Such an outcome would fail to preserve setting of the Grade II\* listed building and the group of which it forms a part, the desirability of which is fully anticipated by the Act; it would also fail to preserve the character and appearance of the conservation area, again anticipated by Section 72 of the Act and contrary to local development plan policies that seek to underpin these national statutory objectives.
7. The appellant however, is right that there is a collective responsibility to move towards fulfilling the Government's target of renewable energy production by 2020 and the scheme's endeavour in this respect has to be considered a public benefit. Such circumstances are acknowledged through the policies of Planning Policy Statement 5 *Planning for the Historic Environment* (PPS5). The scheme would undoubtedly deliver a renewable energy source, and so contribute to the Government target. However, the specific energy yield from the panels is not set out, and it seems that from area proposed, this is likely to be limited, and consequently not of such a benefit that would outweigh the harm to the special interest of the listed building, to those that form the group of which it is a part, and to the character of the wider conservation area. On this basis the proposals would be contrary to policies HE1.3 and policies HE9.4 of PPS5.
8. During the site visit the appellant pointed out two photovoltaic installations on dwellings within the conservation area. It was not clear whether these had been approved by the Council and in any event were not related to listed buildings or their settings. For these reasons they may reasonably only be apportioned limited weight as forms of precedent material to this case.
9. For the reasons given above I conclude that both appeals should fail.

*David Morgan*

**Inspector**