



Appeal Decision

Site visit made on 7 February 2011

by **Malcolm Rivett BA (Hons) MSc MRTPI**

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

Decision date: 10 February 2011

Appeal Ref: APP/H0738/D/10/2142831

1 Station Road, Billingham, Cleveland, TS23 1AG

- 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 Brian Holden against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 10/2422/FUL, dated 16 September 2010, was refused by notice dated 11 November 2010.
 - The development proposed is installation of photovoltaic solar panels and solar thermal system to south facing roof.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Billingham Conservation Area.

Reasons

3. The south facing roof slope of the appeal property is prominent in the Conservation Area. Although trees obscure the roof from view from immediately in front of the dwelling it can be clearly seen, despite the raised parapet of the gable end, from the south-east from Station Road and The Green and from the west along Chapel Road. The property is part of a continuous terrace with the adjoining listed buildings although the colour and materials of its roof contrast with those of the rest of the terrace.
4. Policy CS3 of the adopted *Stockton-on-Tees Core Strategy Development Plan Document* sets out a range of requirements for new development designed to tackle climate change, which paragraph 8.2 of the document describes as the most important issue worldwide in relation to the natural environment. The policy also requires development to respond positively to local character. To my mind there is some potential for conflict between these two requirements.
5. The materials, colours and textures of the photovoltaic solar panels would contrast with the roof slope on which they would be positioned although the harm caused to the character and appearance of the area would be limited by the wide variation in roof materials, colours and textures existing in the vicinity. I consider that in this particular respect the resulting harm would be outweighed by the potential carbon reduction and climate change benefits of the proposal.

6. However, its materials, colours and textures aside, the proposal's unbalanced arrangement of solar panels and the thermal system would have an incongruous, 'higgledy-piggledy' appearance. This would unduly attract attention to the installation, undermining the otherwise uniform appearance of the property's roof, and significantly exacerbating the scheme's overall harm to the character and appearance of the property (despite it not being a listed building) and the setting of the adjoining listed buildings. It would thus neither preserve nor enhance the character or appearance of the Billingham Conservation Area and I consider that the harm caused would be significantly greater than that of satellite dishes in the area. From what the appellant has said it appears that the proposed arrangement of panels is not essential to the operation of the system, and thus I conclude that the harm resulting from this particular aspect of it would not be outweighed by the benefits of the development.
7. The appellant states that he would be prepared to alter the scheme to a more uniform arrangement of 12 panels. However, as I have not seen any plans of such a scheme and the Council has not had the opportunity to comment on it, it would not be appropriate for me to base my decision on the appeal on this suggested amendment.
8. I conclude that whilst the proposal before me would accord with policy CS3's requirement to address climate change it would conflict with its statement that development should respond positively to local character. It would also conflict with policies EN24 and EN28 of the adopted *Stockton-on-Tees Local Plan* which indicate that development should not harm the character or appearance of Conservation Areas and that development likely to detract from the setting of listed buildings will not be permitted. As indicated above I consider that the overall harm caused by the proposal would not be outweighed by its benefits.
9. For the above reasons, and having regard to all other matters raised, including the lack of objection from local residents, I conclude that the appeal should be dismissed.

Malcolm Rivett

INSPECTOR

