



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

DC/14/0562/FUL

Agent

Mr Martin Lewis
Chaplin Farrant Limited
51 Yarmouth Road
Norwich
Norfolk
NR7 0ET

Applicant

Mr Anthony Gibbons
Melton Lodge
Yarmouth Road
Melton
Suffolk
IP12 1LU

Parish

Melton

Date Valid

14th March 2014

Proposal: Installation of 45kWp ground mounted solar PV system to existing vineyard.

Site: Melton Lodge, Yarmouth Road, Melton

SUFFOLK COASTAL DISTRICT COUNCIL as Local Planning Authority hereby **REFUSE TO PERMIT** the development proposed in your application and plan(s) attached thereto.

The reason for the decision to refuse permission is:

1. The application site comprises Melton Lodge, a Grade II listed building, set in parkland and situated in the Melton Conservation Area. The Conservation Area Appraisal recognises that the landscape grounds of Melton Lodge contribute to the rural, undeveloped character of this part of the Conservation Area. The grounds of Melton Lodge also contain a number of curtilage buildings/structures, including walls, Gardener's Cottage, Stable Block and Grooms Flat and greenhouses. The proposal to erect solar panels alongside an historic brick wall forming part of the walled garden enclosure at the rear of Melton Lodge, would have a major negative impact on the setting of the principal and curtilage listed structures, the walled garden itself and the character of the surroundings. The solar panel installation would, by virtue of its overall length, height and visual appearance, mask much of the historic brick wall and be a highly intrusive visual element when viewed from the rear of Melton Lodge, and the nearby curtilage buildings, notably Gardener's Cottage, harming the setting of these historic assets. The scale of the installation and its shining blue/black, highly reflective material covered with dots, and with silver coloured frames and structures, will appear alien and incongruous within this historic environment, and fail to preserve and enhance the significance of the heritage assets.
2. Such development would be contrary to the provisions of the NPPF and Policies SP12, SP15 and DM21 of the Suffolk Coastal District Local Plan Core Strategy and Development Management Policies, adopted in 2013, and saved policy AP1 of the Suffolk Coastal Local Plan (incorporating first and second alterations) February 2001, which seek to preserve and

enhance historic assets and avoid proposals that would be harmful to the character of their surroundings



Head of Planning Services

Date: 8th May 2014

PLEASE READ NOTES BELOW

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to conditions, he may appeal to the First Secretary of State. The applicant's right to appeal is in accordance with the appropriate statutory provisions which follow:

Planning applications: Sections 78 and 79 Town & Country Planning Act 1990

Listed Building applications: Section 20, 21 and 22 Planning (Listed Buildings and Conservation Areas) Act 1990.

Advertisement applications: Section 220 and 221, Town and Country Planning Act 1990 Regulation 15 Town & Country Planning (Control of Advertisements) Regulations 1989.

2. **Notice of appeal** in the case of applications for advertisement consent must be served within **two months** of the date of this notice. Householder planning applications must be served within **twelve weeks** of the date of this notice. In all other cases, notice of appeal must be served within **six months** of the date of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Registry/Scanning Room, 3/05 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; or online at <http://www.planningportal.gov.uk/planning/appeals/>. The Planning Inspectorate website can be viewed at <http://www.planning-inspectorate.gov.uk/>.

3. The First Secretary of State has power to allow a longer period for the giving of notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Order, and to any directions given under the Order. He does not in

practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

4. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the First Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development or works which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 114 and 116 of the Town and Country Planning Act 1990.