



Appeal Decision

Site visit made on 15 November 2019

by Julia Gregory BSc(Hons) BTP MRTPI MCMI

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

Decision date: 27 November 2019

Appeal Ref: APP/Y9507/W/19/3233900

Fittleworth House, Bedham Road, Fittleworth, Pulborough RH20 1JH

- 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 E Braham against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/06143/FUL, dated 28 November 2018, was refused by notice dated 6 February 2019.
 - The development proposed is the installation of a freestanding solar array.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the South Downs National Park.

Reasons

3. The solar panels would provide a large proportion of the electricity demand for Fittleworth House. They would be sited within a field to the northwest of the grounds of the house. The land lies within the South Downs National Park. The first statutory purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
4. This area is a valued landscape of the highest statutory status. Paragraph 172 of the National Planning Policy Framework (the Framework) identifies that great weight should be given to conserving and enhancing the landscape and scenic beauty in National Parks.
5. The solar array would be away from other built development in the open countryside. The field in which they would be sited comprises rising land and has a wide hedgerow to the south. It would be an extensive array because each of the three sets of panels would measure some 18.3m by 3.3m and would be mounted so that they would each reach 2.3m in height. They would extend along much of the southern boundary, some 6m from the hedgerow.
6. The panels would be unlike any other feature in the vicinity because they would be rigid geometric features with metal and reflective panels. They would appear incongruous in the landscape and would be clearly visible from the public footpath WSx/692/4 to the south and north. This footpath WSx/692/4 runs all the way from Bedham Lane, past cottages, the rear of which would also face towards the arrays. They would erode the character of the

countryside and effectively extend domestic clutter onto an agricultural field. The hedgerow has much bramble and scrub. I am not satisfied that it would be maintained at sufficient height and thickness for its entire length to screen the solar array from land to the south.

7. Furthermore, the native mixed hedge shown to the north does not currently exist and would take a significant number of years to become well established and to provide any screening. It is not shown on the plan to be of significant thickness. I am not satisfied that the screening would be effective, especially in autumn and winter. There would be also gaps to the hedgerow where it would be closest to the public footpath to allow access through which the arrays would be apparent.
8. Also, although it might have a small wildlife benefit, the planting of a new hedgerow would create an enclosed developed area of land that would not replicate the field pattern locally. I conclude that the array would be visually incongruous with its surroundings which is open fields.
9. I acknowledge the Climate Change Act and the need to achieve net zero greenhouse gas emissions by 2050. The Framework does seek to increase the use and supply of renewable energy, recognising that even small schemes provide a valuable contribution to cutting greenhouse gasses, but it requires adverse impacts to be addressed satisfactorily.
10. Although there is some support for renewable energy in the South Downs National Park Partnership Management Plan 2014-2019 (PMP), but South Downs Local Plan 2014-2033 (LP), LP policy SD51 requires proposals for solar energy to be suitably sited and clearly associated with the buildings or properties they are intended to serve. The panels would be well away from Fittleworth House and would not be suitably sited. For these reasons, they would be contrary to policy SD51.
11. I appreciate that they would be sited outside the Fittleworth Conservation Area boundary and away from listed buildings. I understand that the appellants have sought to overcome previous objections¹, but I have to consider the proposal on its individual merits.
12. The development would be contrary to policy SD4 of the LP which states that development proposals will only be permitted where they conserve and enhance landscape character. It would also be contrary to LP policy SD5 which requires that all development is of the highest possible design quality which reflects and respects the exceptional quality of the natural, agricultural and built environment of the National Park. Proposals should adopt a landscape led approach and respect the local character through sensitive and high quality design that makes a positive contribution and seek to enhance local character and distinctiveness of the area.
13. Furthermore, it would be contrary to LP policy SD6 which identifies proposals will only be permitted where they preserve the visual integrity and scenic quality of the National Park, in particular by conserving and enhancing key views within the Park. These include views from publicly accessible areas which are within, to and from settlements and contribute to viewers enjoyment of the

¹ Planning application refusal SDNP/17/06525/FUL

National Park. This includes views from public rights of way, open access and or other publicly accessible areas.

14. Policy 1 of the PMP relates to sustainability and the purpose is to conserve and enhance the natural beauty and special qualities of the landscape and its setting in ways that allow it to continue to evolve and become more resilient to climate change and other pressures. Therefore, although Policy 3 which relates to the protection and enhancement of tranquillity and dark night skies is not strictly relevant, the PMP is still offended.
15. For the reasons given above, and having considered all matters raised, including that the Parish Council raised no objections subject to landscaping, I conclude that the development would fail to conserve and enhance the natural beauty of the National Park, would be contrary to the development plan and PMP and that the appeal should be dismissed.

Julia Gregory

Inspector