
Appeal Decision

Site visit made on 20 January 2020

by P W Clark MA(Oxon) MA(TRP) MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 24th January 2020

Appeal Ref: APP/D3830/W/19/3227134

Stonecourt Manor, Cuckfield Road, Staplefield RH17 6ET

- 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 Pomeroy Limited against the decision of Mid Sussex District Council.
 - The application Ref DM/18/4767, dated 23 November 2018, was refused by notice dated 14 March 2019.
 - The development proposed is the erection of a ground mounted solar PV system.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground mounted solar PV system at Stonecourt Manor, Cuckfield Road, Staplefield RH17 6ET in accordance with the terms of the application, Ref DM/18/4767 dated 23 November 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Field system – Double Row.
 - 3) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping to reinforce the hedgerow along Brantridge Lane. The photovoltaic array shall not be made operational until the landscaping has been completed.

Reasons

2. The proposal would be located just outside the boundary of the Staplefield Conservation Area and so, although no statutory test of the effect of the proposal on the character or appearance of the Conservation Area is required, advice in the National Planning Policy Framework (NPPF) is that the significance of any heritage asset that may be affected by a proposal should be taken into account when determining an application (appeal in this case). Therefore, the main issue in this appeal is the effect of the proposal on the character and appearance of the area, including the significance of the Staplefield Conservation Area.

3. There is no published analysis of the significance of the Conservation Area, nor of its character and appearance but, in terms of the latter, I concur with the comments of the Council's Conservation Officer, set out in its report; "The character of the Staplefield Conservation Area is of a loosely dispersed settlement centred on the Green and on the junction of Rose Cottage Lane and Brantridge Lane to the east of the site. In general, the pattern of development is relatively open with buildings quite generously spaced around the Green and along Brantridge and Rose Cottage Lanes and much intervening green space, giving the area a strongly rural character. The close relationship of the village with the surrounding countryside is very important to the special character of the area, including views from the village, of the surrounding fields."
4. A wider view of the countryside can be obtained from the higher end of the village green, looking over the buildings and hedgerows which form its southern boundary but that wider view is lost as one moves towards the lower end of the green. Moving along Brantridge Lane towards the site, views are restricted by hedges but, arriving at the gate into the field where the proposal would be sited, an extensive view may be obtained partly towards a large shed of corrugated material and partly over the valley below.
5. The view of the valley is largely over the field to the east of the one where the array would be sited. The photovoltaic array would be peripheral to that view, rather than in it, because it would be positioned to the west of the gate, behind the hedge which separates the field from the Lane.
6. The field where the array would be positioned slopes down from the Lane. The slope is more pronounced nearer to the Lane. There is a clear break in the gradient just below the location proposed for siting the array. So, although I do not say that the approximately 2.4m height of the structure supporting the array could not be seen from the Lane, nor do I say that one could or would not be aware of the array when walking along the Lane, it would be discreetly placed and would not impose itself upon the experience of the heritage asset. The significance of Staplefield Conservation Area as an example of a village green with wide views of the countryside would not be compromised.
7. I therefore conclude that the proposal would comply with policy AS10 of the Anstey, Staplefield and Brook Street Neighbourhood plan, made in February 2017, which requires proposals to follow national policy. With a condition as suggested to strengthen the density of the hedgerow along the Lane, it would comply with Mid- Sussex District Plan policy DP40, which welcomes renewable energy proposals provided their landscape and visual impacts are dealt with. There does not seem to be any particular reason to impose limitations on hours of construction. Policy DP35 is also referred to in the reasons for refusal but that concerns developments within Conservation Areas, which this is not.

P. W. Clark

Inspector