



Appeal Decision

Site visit made on 16 January 2024

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th January 2024

Appeal Ref: APP/C1570/W/23/3323337

Brooklands Farmhouse, High Street, Clavering, SAFFRON WALDEN, CB11 4QW

- 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 John Noble against the decision of Uttlesford District Council.
 - The application Ref UTT/22/3164/FUL, dated 18 November 2022, was refused by notice dated 24 February 2023.
 - The development proposed is the installation of solar panels to provide green electricity to Brooklands Farmhouse.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of solar panels to provide green electricity to Brooklands Farmhouse, Brooklands Farm, High Street, Clavering, SAFFRON WALDEN, CB11 4QW in accordance with the terms of the application, Ref UTT/22/3164/FUL, dated 18 November 2022, and the plans submitted with it, subject to the conditions set out in the annex to this decision.

Main Issue

2. The main issues in this case are, firstly, the effect of the solar panels on the character of Clavering Conservation Area, and secondly, the effect on the character and appearance of the countryside.

Reasons

The effect on the character of Clavering Conservation Area

3. The character of the conservation area in this part of the village is derived from its groups of attractive historic buildings along High Street and Middle Street, the watercourse of the River Stort, and the historic features of the Clavering Castle, Bury Manor and St Mary and St Clement's Church. The solar panels would be located within the conservation area, but would be sited away from these key features, on a field edge just outside a hedge line, well to the rear of the buildings along the High Street.
4. The panels would be 23m long by 3 metres wide, with a maximum height above ground of about 2.35 metres, on a raised base of about 0.55 metres. The location and size of the scheme is a significant improvement on the previous proposal for solar panels at the rear of Brooklands Farmhouse which was dismissed at appeal in September 2022 (Ref no APP/C1570/W/22/3294001). The length of the installation would be reduced from 40 metres to 23 metres, and the array would be sited further to the

southeast along the boundary of the curtilage of Brooklands Farm, increasing the distance of the development from the High Street and Stortford Road, and reducing the impact from the viewpoints identified in that appeal.

5. There are no nearby public vantage points, and the panels would not be viewed over a wide area. They would be seen from a gated entrance to a field on Stortford Road, and from higher ground near the chapel on Stortford Road, but in terms of their contribution to the character of the conservation area these are incidental rather than important viewpoints. Moreover, the panels would be viewed at a distance against a backcloth of trees and a field boundary. Owing to their location, orientation, distance and the presence of vegetation, they would not be prominent from the High Street or from any notable public views from important vantage points, including the small green, village sign and interpretation board at the junction of Middle Street and High Street. They would have little impact on the character of the conservation area and would not affect the understanding and interpretation of its form and character.
6. The panels would therefore cause less than substantial harm to the significance of the conservation area, at the lower end of the scale. There would also be a minor conflict with saved Policy ENV1 of the Uttlesford Local Plan 2005 which allows for development where it would preserve or enhance the character and appearance of the essential features of a conservation area. But the very small degree of harm arising from this proposal would be outweighed by the public benefit of renewable energy generation. The panels are primarily for Brooklands Farmhouse, but whether or not they are capable of releasing energy to the grid, they still represent a source of renewable energy and this would be a public benefit. Paragraph 163 of the National Planning Policy Framework (NPPF) recognises that even small-scale projects provide a valuable contribution towards cutting greenhouse gas emissions. It adds that applications for renewable energy development should be approved if their impacts can be made acceptable, and in this instance the revised design and siting have made the scheme appropriate.

The effect on the character and appearance of the countryside

7. The panels would be clearly visible from the part of the field immediately adjacent to them but, located on the margin of a field located close to a hedge, they would not have a significant effect on the character and appearance of the wider countryside and would have less impact than many agricultural buildings and items of farm equipment. In addition, the existing hedge along the boundary of Stortford Road has already been supplemented, a new hornbeam hedge has been planted at right angles to the boundary hedge northwest of the installation, and two Quercus Ilex trees have been planted in the field. Although it would take time for this planting to mature, soften and partially screen the development, the scheme is acceptable now with the vegetation in its present immature condition.
8. The site is a mown meadow bordered by maintained gardens and the appellant's ecological survey found no evidence of protected species. No protected sites would be affected, and the scheme would have a low impact on biodiversity. New trees have been planted and hedgerow planting has already been carried out. This, along with the measures detailed in the submitted ecological assessment, will serve to improve biodiversity.

9. The development would not compromise the objectives of saved policy S7 of the Uttlesford Local Plan which seeks to protect the countryside, and would accord with saved policy ENV15 of the Uttlesford Local Plan which supports small scale renewable energy development schemes where they do not adversely affect the character of sensitive landscapes.

Conditions

10. In addition to the standard commencement and plans conditions, a condition is attached requiring the retention of the newly planted hedging and trees and their replacement in the event that they die or become damaged or diseased, in order to protect the character of the countryside and ensure that the appearance of the development is softened. A further condition is attached requiring a proportionate degree of ecological enhancement and mitigation to achieve biodiversity gain.

Conclusion

11. I have considered all the other matters raised but they do not alter the balance of my conclusions. For the reasons given above, the appeal is allowed.

Jonathan Bore

INSPECTOR

ANNEX

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
2. The development hereby approved shall be carried out in accordance with the approved plans site and location plan ref: NOB059 221536DWG001 Rev B, and in accordance with one of the two alternative solar panel specifications set out in the appellant's planning statement dated November 2022.
3. The new hornbeam hedge planted at right angles to the boundary hedge northwest of the installation, and the newly planted Quercus Ilex trees, shall be retained, and any such tree or hedge plant that within a period of 5 years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with another of similar size and species.
4. Prior to the first operation of the solar panel array, ecological mitigation and enhancement measures shall be carried out in accordance with the recommendations contained in the section 10 of the Ecological Survey and Assessment (Essex Mammal Surveys, November 2021) as submitted with the planning application.