



## Appeal Decision

Site visit made on 12 July 2023

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2023

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Appeal Ref: APP/W0530/W/22/3300777

Land to the South East of Burton End, West Wickham, CB21 4SD

- 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 Lodge against the decision of South Cambridgeshire District Council.
  - The application Ref 20/01564/FUL, dated 2 March 2020, was refused by notice dated 10 December 2021.
  - **The development proposed is described as the 'installation of a solar farm and associated infrastructure including access'.**
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### Decision

1. The appeal is dismissed.

### Main Issues

2. **Having regard to the Council's reasons for refusal, the main issues** are the effect of the proposed development on:
  - the character and appearance of the area including the landscape;
  - the use of best and most versatile agricultural land, and whether the sustainability considerations and need for the development are sufficient to override the need to protect the agricultural value of the land.

### Reasons

#### *Character and appearance*

3. For the purpose of the Greater Cambridge Landscape Character Assessment 2021, the appeal site lies within the West Wickham Wooded Claylands landscape character area, which is characterised by undulating boulder clay landform, dissected by small stream valleys. There are a scattering of farmsteads and small linear settlements interspersed with medium blocks of woodlands and trees. An irregular patchwork of medium to large arable fields are united by the gently rolling landform and woodland which together create a distinctive landscape and afford open, panoramic views towards a wooded skyline. According to the character assessment, the landscape area is regarded as having a good landscape condition and a strong character.
4. The appeal site extends to 1.8 hectares and comprises a mix of scrubland and grassland, the topography of which is generally flat. The site occupies a prominent location adjacent to the road and within close distance of the junction of Burton End, The Common, Skippers Lane and Common Road. Large, open arable fields with limited boundary features, surround the appeal site. The site and its surroundings embody the typical landscape characteristics of the

- character area, which positively contributes to the rural character of the locality.
5. A Landscape and Visual Appraisal<sup>1</sup> conducted in accordance with industry standard methodologies and guidelines accompanied the planning application whilst the appeal is also supported by a Supplementary Landscape and Visual Impact Appraisal<sup>2</sup>, planting plan and landscape specification. The findings of these appraisals suggest that the landscape character has a low sensitivity to development and a high capacity to accommodate the proposal. Having regard to the evidence before, in my view the relevant landscape including the appeal site has a medium landscape value and medium sensitivity to change.
  6. The appeal development relates to the installation of 4580 solar panels which would be arranged in 22 rows, around 5 metres apart and would be orientated in an east to west direction across the appeal site. The installation would reach a maximum height of some 3 metres above ground and would have a dark grey/dark blue/black finish. In addition, a substation and switch room would be provided either side of the proposed access whilst an inverter would be in the centre of the site. The substation, being the tallest of the proposed structures would reach a height of around 3.5 metres.
  7. The attractive, unspoilt open qualities of the appeal site would be replaced by regimented rows of uniform solar panels mounted on metal frames together with ancillary buildings. The homogenous and typically geometric form of the proposal together with its industrial appearance and dark finish would erode the rural character of the appeal site and diminish its contribution to the key landscape characteristics of the West Wickham Wooded Claylands area. Within this context, I find that the proposal would read as a highly obtrusive and discordant form of development. As such, it would have a harmful effect on the landscape.
  8. Due to the exposed and plateaued nature of the surrounding landscape there are long, open views across the area in which the appeal development would be appreciated. Consequently, whilst I recognise that the landscape change and visual effects would be relatively localised, the appeal proposal would nonetheless be readily perceived by passers-by. The proposal would be particularly apparent to road users when approaching the site from both directions due to the level of the site relative to the road and the lack of field boundaries. In addition, and notwithstanding the intervening distance, there would be sight of the solar array and ancillary buildings from the surrounding rights of way network. Instead of viewing pleasant, open fields and panoramic views of the countryside from these locations, the visual receptors would experience row upon row of solar panels and utilitarian structures which would be at odds with their rural surroundings.
  9. It has been put to me by the appellant that the provision of brushwood screening would offer mitigation in the short term whilst the proposed new hedgerow planting would reduce the adverse impacts and provide an overall enhancement in the long term. I acknowledge that the additional planting together with the undulating topography of the surrounding land would to some extent soften the visual effects. However, the subdivision of the field would result in a fragmented field pattern which would be uncharacteristic of the site

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<sup>1</sup> Landscape and Visual Appraisal (11 November 2020)

<sup>2</sup> Supplementary Landscape and Visual Impact Appraisal (May 2022)

as it is today. In doing so, this would highlight the conspicuous form of the appeal scheme and compound its harmful effect on the character of the landscape. Overall, I find against all this background that the scheme would have a moderate harmful visual impact.

10. In coming to this view, I recognise **that the site's immediate surroundings are** not completely devoid of built form. Indeed, I observed at my site visit that there are two former aircraft hangers located in proximity of the appeal site which have been modernised for commercial use. Both buildings are of a substantial scale, particularly when compared to the ancillary buildings proposed under the appeal scheme and are prominent within the landscape. However, **these buildings are indicative of the area's history and their** general form and appearance resembles their original design. Moreover, their appearance is not dissimilar of more modern agricultural units which are commonplace in the countryside. As such, they do not appear discordant in the context of their surroundings or detract from the character and appearance of the area.
11. I also acknowledge that the proposed development would be largely reversible, and that the impacts could be limited by condition to a period of 25 years. This however is a relatively long period of time during which the adverse impacts would be experienced. Therefore, I am not persuaded that the development would be justified on this basis.
12. For the above reasons, I find that the proposed development would adversely affect the character and appearance of the area including the landscape. The proposal is therefore contrary to Policies S/7, CC/2, NH/2 and HQ/1 of the South Cambridgeshire Local Plan 2018 (Local Plan). Amongst other aspects, these policies seek to ensure that development respects and retains or enhances the local character and distinctiveness of the host landscape.

#### *Best and most versatile agricultural land*

13. Annex 2: Glossary of the National Planning Policy Framework (the Framework) sets out that best and most versatile agricultural land (BMV) includes land in grades 1, 2 and 3a of the Agricultural Land Classification. For the purposes of Natural England's **Provisional Agricultural** Land Classification Maps, the appeal site is recorded as grade 2 land. This however is contested by the appellant who submits that in accordance with the site-specific assessment<sup>3</sup> (ALC) submitted as part of the appeal, the site is grade 3b – moderate quality agricultural land.
14. The Planning Practice Guidance (PPG) indicates that where a proposal involves greenfield land consideration should be given to whether the proposed use of any agricultural land has been shown to be necessary, whether poorer quality land has been used in preference to higher quality land and to whether the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays<sup>4</sup>.
15. Policy CC/2 of the Local Plan indicates that planning permission for proposals to generate energy from renewable and low carbon sources will be permitted where they do not have unacceptable adverse impacts on high quality agricultural land. Policy NH/3 deals specifically with the protection of

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<sup>3</sup> Agricultural Land Classification Assessment prepared by Wilson Wraight dated May 2022

<sup>4</sup> Paragraph: 013 Reference ID: 5-013-20150327 Revision date: 27 March 2015

agricultural land and states, amongst other criteria that permission will not be granted where it would lead to the irreversible loss of grades 1, 2 or 3a agricultural land unless the land is allocated within the Local Plan or sustainability considerations and need for the development are sufficient to override the need to protect the agricultural value of the land.

16. **The Council's delegated report indicates that there are large swathes** of high-quality agricultural land within the district. The appeal site area extends to some 1.8 hectares and is an isolated parcel of land in so far as it was severed from the main farming enterprise some decades years ago. I am advised by the appellant that the appeal site has been left fallow for many years and is not currently in a state that could be farmed without considerable input and improvement. The evidence also suggests that owing to the lack of underground drainage and the restricted site area, the agricultural potential of the appeal site is limited.
17. The proposed solar farm would occupy the appeal site for a period of 25 years, after which the land would be returned to wholly agricultural use. For the period that the development would be in situ there would be grazing opportunities between and under the arrays and therefore the land would remain partly in agricultural use.
18. Although there is no local policy requirement to undertake a sequential test, it is clear from the provisions of the PPG and the Written Ministerial Statement (WMS) dated March 2015 that preference should be given to development on land of lower agricultural quality and that there must be the most compelling evidence to justify solar farms on BMV land. In this regard, the appellant has provided details of the site search exercise which fixed the study area to within 6km of the National Grid Substations with capacity to connect a solar PV array. The appeal site is located approximately 320 metres from a grid connection.
19. The search exercise considered the availability/suitability of alternative sites on previously developed land within the defined radius, having regard to the **Council's brownfield land register**. When taking account of the required site area, housing allocations and grid connection, the appellant submits that there are no sites suitable to accommodate the proposed development. Although the Council is critical of the assessment, no suitable alternative brownfield sites have been identified which would challenge **the appellant's** assessment and, whilst an area of grade 3 agricultural land has been referenced, this is not within the control of the appellant and its availability is unclear.
20. The Government has repeatedly emphasised its commitment to increasing the supply of renewable energy within the UK. Whilst the 2020 target of 15% of all energy consumed to be from renewable energy sources has passed, in light of the 2050 net zero target there remains strong Government support for the provision of renewable energy technologies. Indeed, the Framework sets out clear support for the delivery of renewable and low carbon energy and associated infrastructure to mitigate climate change. The appellant identifies that nationally, energy demands are increasing which will need to be met by low carbon and carbon negative sources if we are to achieve the 2050 target and enhance energy reliability and security.
21. Solar PV installations can provide a significant contribution to meeting the legally binding target and increase the renewable energy capacity currently installed in the UK. In this regard, the proposal would provide 1 megawatt of

energy which would power approximately 650 local homes and contribute towards carbon neutrality. Further, paragraph 158 of the Framework indicates that projects of all scales provide a valuable contribution to reducing greenhouse gas emissions. Consequently, the renewable energy benefit of the appeal proposal must be accorded substantial weight.

22. Taking the above into account, it is my overall view that the sustainability considerations and the need for the development override the need to protect the agricultural value of the land. Furthermore, given that the site accounts for a very small proportion of the total BMV land in the region together with the site-specific factors set out above, I do not consider that the loss of the land for the period that the arrays would be in situ would harm the agricultural industry. Notwithstanding the conclusions of the appellants ALC, I have found that the proposal is acceptable even on the higher grade land and thus need not consider this any further.
23. Therefore, I conclude that the appeal proposal would accord with Policies CC/2 and NH/3 of the Local Plan where they seek to protect the agricultural value of the land and avoid the irreversible loss of grades 1, 2 or 3a agricultural land.

#### Other Matters

24. The **Council's delegated report indicates that** West Wickham Conservation Area and West Wratting Conservation Area are located 1.7km and 2.8km from the appeal site respectively. There are several listed buildings located within some 800 metres of the appeal site including Nos 27 and 29 and The Vicarage, Burton End. Brook Farmhouse and No 57, The Common are located approximately 900 metres away. The setting of the above heritage assets is informed by the open countryside which immediately surrounds them. Although the proposed development would introduce new development onto land which is currently free of built form, given the intervening distances and landform, I do not consider that the proposed development would compromise the setting of the identified conservation areas or the setting of Nos 27 and 29 and The Vicarage. With regards to the other listed buildings identified, as their separation from the site is even greater, their setting would also be unaffected by the proposal.

#### Planning Balance and Conclusion

25. I have concluded that substantial weight should be given to the renewable energy benefits of the scheme, which in this instance would amount to the compelling evidence required to justify a solar farm on the BMV land.
26. There would also be a biodiversity net gain through the implementation of the proposal with onsite enhancement and mitigation measures including planting of wildflowers underneath the arrays and additional hedgerow planting. The use of the site for agricultural grazing would support 1.5 FTE jobs for the duration of the solar farm operation whilst business rates would contribute to local economy. In addition, there would be short term economic benefits during the construction of the scheme. These factors are attributed moderate weight.
27. However, the policy support given for renewable energy projects in the Framework is caveated by the need for the impacts to be acceptable, or capable of being made so. Notwithstanding the temporary nature of the appeal scheme, I have found that there would be significant harm to the character and

appearance of the area, and I am not persuaded for the reasons I have set out that these impacts would be capable of being made acceptable. In my view, over the lifetime of the development, the harm to the character and appearance including the landscape outweighs all the benefits that I have identified.

28. Accordingly, the appeal proposal conflicts with the development plan read as a whole and no material considerations, including the Framework have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

*H Wilkinson*

INSPECTOR