



UTTLESFORD DISTRICT COUNCIL

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Dated: 19 April 2022

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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application Number: UTT/21/3108/FUL
Applicant: Endurance Energy Wickham Hall Limited

Uttlesford District Council **Refuses Permission** for:

Erection of a Solar Photovoltaic Farm with an output capacity not to exceed 49.9MW of energy, with supporting infrastructure and battery storage, inverters and a transformers, fencing and landscaping works at Land To The North-West Of Bishops Stortford Farnham Road Farnham Hertfordshire

The refused plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
D02	Location Plan	30/11/2021
D02.2	Location Plan	30/11/2021
D04	Other	30/11/2021
D05 A	Other	30/11/2021
D06	Other	30/11/2021
D06	Combined	30/11/2021
DO1	Other	30/11/2021
PL.005	Other	30/11/2021
PL.006	Other	30/11/2021
PL.010	Other	30/11/2021
PL.011	Other	30/11/2021
PL.016	Other	30/11/2021
PL.001	Other	30/11/2021

PL.007

Other

30/11/2021

D03 D

Block Plan

24/02/2022

Permission is refused for the following reasons:

- 1 The site is identified within the area in Uttlesford's adopted local plan as Metropolitan Green Belt. The Framework defines inappropriate development as being harmful to the Green Belt and further defines exceptions which would not be inappropriate. Consequently, in not complying with the list of exceptions, the proposals would amount to inappropriate development in the Green Belt in which paragraph 147 of the Framework states is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

By reason of the inappropriate size and siting, the proposals by way of the long rows of panels, ancillary buildings and infrastructure would comprise a rather utilitarian form of development not typical of its agricultural context. It would contrast awkwardly with the unspoilt open qualities of the site and would introduce a discordant element of significant scale that would encroach into the local landscape contrary to one of five purposes set out in paragraph 138 of the Framework. As such, the proposal would have an adverse effect of moderate significance on the local landscape and a significant adverse effect on the visual amenity of the area.

It is considered that the 'very special circumstance' in this case either individually or collectively do not clearly outweigh the harm that has been identified, and the very special circumstances necessary to justify the development do not exist. The proposals are thereby contrary to policy S6 of the Adopted Local Plan and the National Planning Policy Framework.

- 2 The Historic Environment Record and the desk-based assessment submitted with the application shows that the proposed development lies within an area of known archaeological deposits. These particularly highlighted the potential for Iron Age and Roman occupation, identified in advance of the A120 Hadham Bypass following the completion of geophysical survey as part of the pre application evaluation undertaken on the road line.

Following the guidance within the NPPF at present the application has not provided appropriate consideration of the impact of the development such as a geophysical assessment and photographic evidence of the area to assess the historic environment. The proposals are thereby contrary to policy ENV4 of the adopted local plan and the National Planning Policy Framework.

- 3 Insufficient information has been submitted in support of the application to demonstrate that there would not be an unacceptable impact to protected and priority species and their habitats particular in relation to Skylarks. This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 as updated by the Environment Act 2021 and to be able to properly assess any potential impacts upon protected species. Without this information, the LPA

are unable to properly assessed the proposals and impacts on legally protected and priority species. The proposals would thereby be contrary to policy GEN7 of the adopted Local Plan and the NPPF.

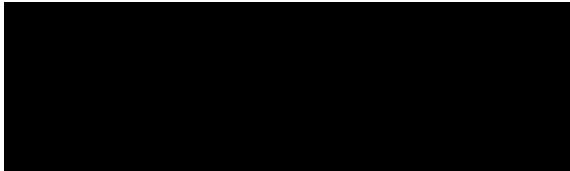
- 4 Insufficient information has been provided in support of the proposals to demonstrated that the the impact on the public rights of way network caused by this proposal will not have unacceptable consequences in terms of highway safety, efficiency and accessibility and that the proposed works are indeed deliverable. The proposal is therefore contrary to policy GEN1 of the Adopted Local Plan and the National Planning Policy Framework

- 5 The applicant stipulates that following the operation stage, it is proposed that the solar farm is decommissioned, with the solar panels and other infrastructure to be removed and the site to be retained back to its original condition. This requirement would need to be secured through a S106 Agreement. At the time of issuing this decision a S106 Agreement had not been prepared or completed. As such, the proposals is contrary to policies GEN6 of the Adopted Local Plan and the National Planning Policy Framework.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
NPPF4 - National Planning Policy Framework July 2021		
S6 - Metropolitan Green Belt	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

ENV4 - Ancient Monuments and Site of Archaeological Importance	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV5 - Protection of agricultural land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV7 - The protection of the natural environment designated sites	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV8 - Other landscape elements of importance for nature	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV11 - Noise generators	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV15 - Renewable Energy	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005



Tracey Coleman
Interim Director Planning and Building Control

Notes:

1 Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an ENFORCEMENT NOTICE, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an ENFORCEMENT NOTICE is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to REFUSE planning permission for a HOUSEHOLDER (HHF) application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a MINOR COMMERCIAL application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an ADVERTISEMENT, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (for those not specifically mentioned above).

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>