



Appeal Decision

Site visit made on 7 April 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/P2935/W/24/3357752

Land at east of West Chevington Farm, C114 at West Chevington, NE61 5BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr William Jackson of Genesis One Limited against the decision of Northumberland County Council.
 - The application Ref is 23/04531/RENE.
 - The development proposed is erection of solar farm with ancillary equipment; total of 256 solar array solar panels with carbon capture pods inserted into the ground beneath the framework for the installation, 1 no sound insulated kiosk for housing invertors, 2 metre access track, surrounding native hedging and tree planting, fence to perimeter of site.
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Decision

1. The appeal is allowed and planning permission is granted for erection of solar farm with ancillary equipment; total of 256 solar array solar panels with carbon capture pods inserted into the ground beneath the framework for the installation, 1 no sound insulated kiosk for housing invertors, 2 metre access track, surrounding native hedging and tree planting, fence to perimeter of site, at Land at east of West Chevington Farm, C114 at West Chevington, NE61 5BB in accordance with the terms of the application, Ref 23/04531/RENE, and the plans submitted with it, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The proposal was amended during the application determination period, and therefore the description above is taken from the decision notice/appeal form, although with removal of reference to the fencing type, which I address under 'Other Matters'.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the preservation of the setting of West Chevington Farmhouse as a Grade II listed building.

Reasons

4. The site lies to the eastern edge of the cluster of buildings that formerly made up West Chevington Farm. Its current use is for the storage of machinery and excavated material in relation to the adjacent development, following which it would be paddock land. The proposal is for 256 solar panels at a height of 3m. They would provide an output of 0.3MW to the adjacent holiday dwellings which would go off-grid. Associated infrastructure includes underground carbon capture pods, an inverter kiosk, access track, fencing, a perimeter native hedgerow, and 11 trees.

5. The proposal seeks a 40 year permission. Although not a key point of contention between the main parties, 40 years is a very considerable length of time for something classed as temporary. However, the extent to which this lack of permanence tempers the level of any harm arising is a matter of planning judgement. Overall, I find 40 years to be temporary in this instance, with my determination therefore made on this basis.
6. I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed buildings. Paragraph 212 of the National Planning Policy Framework ('the Framework') (2024) requires that great weight should be given to the conservation of designated heritage assets. The Northumberland Local Plan (NLP) Policies ENV 1(1)(a) and ENV 7 closely align with the Framework approach to the preservation of heritage assets.
7. The site lies approximately 25m north-east of the grade II listed building of West Chevington Farmhouse, dating from circa 1700 with 18th century extensions. Its architecture contributes to its significance, being a symmetrical 2 storey central block with cross wings, and unusually constructed from brick in a part of the country known for stone farmhouses. It also derives significance from its historic interest as a gentrified farmhouse within its surrounding farmstead. Formerly a traditional mixed livestock and arable farm, linear ranges of agricultural buildings to its north form internal foldyards. These have been developed and converted into dwellings and holiday accommodation, but maintain their positive contribution to the Farmhouse's significance. The appeal site was historically part of a larger field associated with the farmstead, with its wider rural landscape setting well preserved.
8. Previous dilapidated agricultural buildings on the appeal site have been replaced by the adjacent garage range, which acts to partly separate it from the remaining original buildings. There is also a large modern storage building partly in between the site and the Farmhouse. The height and scale of the solar panels would not dominate or overwhelm that of the Farmhouse or the farmstead as a whole. There would be new hedgerow and tree screening, and the predominant agricultural setting of the farmstead within wider open fields would remain.
9. Nonetheless, the proposal would be a modern industrial insertion within the wider site. As such it would both appear incongruous in that context, and affect historical understanding to some extent by portioning off the site. 40 years is a significant length of time in the context of the site's historic development, and harm would therefore be caused to the significance of West Chevington Farmhouse as a designated heritage asset. This harm would be limited, but nonetheless categorised as less than substantial harm, to which I give great weight as required by the Framework Paragraph 212.
10. The area's wider character is an open and simple landscape with gently rolling landforms, comprising fields of managed grassland and woodland blocks. Several wind turbines draw the eye approximately 0.5 miles east. The site is contained by built form except alongside the field to its east, and the new hedgerow boundary along that edge would provide appropriate closure.
11. I viewed the site from the purpose built 20m high conical mound viewing point approximately 650m northwards. The panels would appear relatively indistinct in the context of the proximate built form as compared to the expanse of fields, and

- would be partly screened by the new planting. At closer range, only very limited, if any, glimpses would be possible from the highway due to the intervening vegetation. I find similarly from along the public right of way (PROW) to the east, although where it runs closer and alongside the site's northern boundary there would be a more severe impact, especially before the boundary hedgerow matures, and in periods of leaf drop.
12. As such, I find the incongruity of the proposal as a modern feature of the farmstead would again cause limited harm to the character and appearance of the area. Several policies relating to character and appearance are identified in the officer report, although not discussed in detail. Policy STP3(i) requires proposals to help promote a sense of place and to respect and enhance the local distinctiveness of the natural, historic, and built environment. Policy QOP1(a) and (d) also require proposals to make a positive contribution to local character and distinctiveness, have a positive relationship between built and natural features, and to respect and enhance the historic environment including heritage assets. The proposal would thus conflict with those policies. I do note no landscape conflict with the NLP Policies ENV 3 and REN 1(3).
 13. Returning to the Farmhouse, the Framework Paragraph 215 identifies that less than substantial harm to the significance of a designated heritage asset should be weighed against any public benefits. Interested parties object that there would only be private benefits to the developer/occupiers, including due to the lack of connection to the National Grid. However, it is evident that a reduction in National Grid consumption, and the benefits of addressing climate change, are benefits on a wider scale.
 14. The NLP Policy REN 1(1) supports proposals for renewable energy and low carbon energy development, including where used to supply energy to a development. Policy STP 3(m) expects proposals to maximise energy efficiency and the use of renewable and low carbon energy sources, including decentralised energy supply systems, and Policy STP 4(1) supports proposals that help mitigate climate change, whereby they should contribute to meeting nationally binding targets to reduce greenhouse gas emissions. It follows that the proposal's compliance with these policies, also results in compliance with Policy STP 1(g)(vi) relating to essential energy infrastructure in the open countryside. The Council also declared a Climate Emergency in 2019.
 15. The Government further presents the compelling need to take action to ensure a shift to a clean power system by 2030, including through numerous reports and strategies such as the Energy White Paper 2020 and the Net Zero Strategy: Build Back Greener (2021). The Framework provides strong support for renewable energy, whereby the planning system should support the transition to net zero by 2050 (paragraph 161), and that significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings, including through installation of solar panels (paragraph 167).
 16. Paragraph 168(a) reinforces that significant weight should be given to the benefits associated with renewable and low carbon energy generation, and the proposal's contribution to a net zero future, and 168(b) recognises that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions.

17. I therefore find it clear that although the proposal's renewable energy benefits would themselves be moderate, set within this wider context they hold significant weight, and gain significant policy support.
18. There would also be small-scale biodiversity benefits from the additional native hedgerow and tree planting, in accordance with the NLP Policies ENV 2 and STP 3(f), and to which I give minor weight.
19. Overall, I have identified less than substantial harm to the significance of a designated heritage asset, which holds great weight, and limited harm to the character and appearance of the area, which I give limited weight. However, the proposal's contribution to help in mitigating against climate change would be a moderate public benefit which holds significant weight, alongside its small-scale biodiversity benefits which hold minor weight. I conclude that the harm would be outweighed by the public benefits of the proposal. As such, the proposal would comply overall with the Framework section 16 on conserving and enhancing the historic environment, and with the NLP Policies ENV 1 and ENV 7. There would only be minor conflict remaining against parts of Policies STP 3 and QOP 1.

Other Matters

20. I note other interested party objections, however, I see no reason to find differently to the Council on these matters. The closest private receptors would be the upper floor windows/balconies of some of the West Chevington Farm Cottages, plus partial views from the holiday dwellings due to existing intervening built form. These would be filtered by the new planting as it matures. I do not find the appeal proposal to be so overbearing or likely to cause glint and glare so as to cause harm, and am mindful that planning law does not provide the right to retain general views over the surrounding fields. My determination of the proposal's overall impact has assessed it in comparison to it being paddock/farmland.
21. Disturbance and impact on the highway network during construction would be addressed by imposition of relevant conditions. The Noise Assessment concludes that the inverter units would be inaudible at the nearest dwellings, with the relevant condition ensuring this would be the case. There is no requirement for the appellant to demonstrate alternative solutions such as rooftop solar panels. Discharge of contamination conditions for previous approvals is outwith the matters before me.
22. With regard to security, the site perimeter would comprise a secure gated access, and a 1.2m high post and stock wire fencing outside of a new native hedgerow, although the Proposed Site Plan¹ shows no fence along the most southwestern stretch. Northumbria Police considers there should be 2m high specific security fencing because the proposed fence would not deter an organised attacker, and highlight the particular importance of security at sites distant from police stations such as this. However, the Council disagreed, in recognising the visual harm which would result, and the appellant's preference for the fencing as proposed.
23. The site would incorporate a national accredited security scheme including thermal imaging surveillance cameras, GPS positioning and moveable cameras units, spot lighting, and audio warning capabilities. Notwithstanding this, I find it would be poor practice to provide relatively easy physical access into the site, as this may encourage minor criminal activity even if organised theft is unlikely to take place.

¹ PL_910h_102 Rev E

This is especially due to the PROW whereby people will be passing adjacent, and as the hedgerow would take some years to mature as an additional barrier.

24. Higher industrial style fencing would cause additional harm to the character of the area and the setting of the listed building. However, better security could still be achieved compared to that proposed, even with a fence of a lower specification than that suggested by Northumbria Police due to the need for it to comprise more sensitive materials and style. As such, I find any potential additional harm would be minimal, and would still be outweighed by the public benefits of the scheme as described above. This would also address to some extent the interested parties' concerns about the potential for crime. It is therefore appropriate to impose fencing details to be agreed via condition.

Conditions

25. I have imposed the Council's suggested conditions, subject to slight amendment to reflect paragraph 56 of the Framework and the Planning Practice Guidance, and with which the appellant has agreed. The statutory condition would limit the lifespan of the planning permission, and specifying the approved plans would provide clarity for the terms of the permission (condition 1, 2). Limiting the operational period to 40 years will bind the proposal to that on which my determination was based, and to manage its impacts on character (3).
26. Details of a water surface drainage scheme (4) would ensure that drainage is properly addressed, because the submitted plan and Drainage Report are based on a superseded scheme layout, and an accurate record is necessary for future decommissioning. Revised details of the perimeter fencing would improve site security (5). Limitations on construction timescales (6) and on noise once operational (10) are required to minimise undue adverse impacts. Specification of measures during construction (7) and appropriate lighting (9) are required in the interests of biodiversity. Measures relating to the establishment and maintenance of the proposed hedging and trees are necessary in the interests of character and appearance and for biodiversity (8).
27. Finally, conditions to require suitable decommissioning of the solar farm and restoration of the site are in the interests of character and appearance, and to reinforce the 40 year timeframe or an earlier timeframe if the solar farm ceases to operate for more than 12 months (11, 12, 13). This is necessary notwithstanding the Decommissioning Statement already provided, as precise methods and details are likely to have changed during the proposed timescale.

Planning Balance and Conclusion

28. The proposal would result in minor conflict with elements of two development plan policies, but is supported by others. I find the material consideration of its benefit in providing renewable energy to weigh in its favour to the extent of outweighing this conflict and the harm. I therefore allow the appeal.

L N Hughes

INSPECTOR

SCHEDULE OF 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 PL_910h_001
 - Proposed site plan PL_910h_102 Rev E
 - Proposed Part Elevations Through Site PL_910h_301 Rev E
 - Proposed Elevations PL_910h_302 Rev E
 - Proposed Plans and Elevations for Kiosk 1 Rev A
 - Drainage details 151-23 003 Rev P01
 - Three phase Inverters with Synergy Technology SE66.6K/SE100K
 - SolarEdge Home Wave Inverter SE3K-SE10K
 - Construction, Maintenance and Demolition Management Plan dated 08.02.2024 (Searle Town & County Planning)
- 3) The development hereby permitted shall be limited to a period of 40 years from the date of its first beneficial use.
- 4) No development shall take place until a surface water drainage scheme for the construction phase and subsequent operation of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, and maintained as such thereafter.
- 5) Notwithstanding condition 2, no development shall take place until details of the perimeter fencing and gate have been submitted to and approved in writing by the local planning authority. This fencing shall be of a higher security specification than identified in the approved plans under condition 2. The development shall be carried out in accordance with the approved details.
- 6) During construction works, deliveries, external running of plant and equipment, and construction works other than internal works not audible outside the site boundary, shall take place only between 0800 to 1800 on Mondays to Fridays, between 0800 to 1300 on Saturdays, and shall not take place at any time on Sundays or on public holidays.
- 7) During construction works, any trenches or excavations are to be closed overnight or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees, to provide an escape route for animals.
- 8) The development shall not be brought into use until the native species hedge and 3m high trees have been planted in accordance with Proposed Site Plan reference PL_910h_102 Rev E, which shall be maintained for the lifetime of the development. The hedge shall be planted in a double staggered row at a rate of 6 plants per metre, and once grown shall be maintained no less than 2 metres high and as wide as possible in line with site requirements. Over the lifetime of the development, if any tree, shrub, or plant specified in the approved details or any replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted or larger, shall be planted at the same place.

- 9) Any external lights shall be set on a motion detector and short timer and shall be positioned in such a way that they do not shine on any bat access positions in adjacent buildings.
- 10) Once in operation, the rating level of sound emitted from any fixed plant and or machinery associated with the development shall not exceed background sound levels at a distance of 1 metre from the façade of the nearest noise sensitive properties, as measured in accordance with the BS4142:2014+A1:2019 methodology and/or its subsequent amendments. Where access to the nearest noise sensitive properties is not possible, measurements shall be undertaken at an appropriate location and corrected to identify the rating level of sound emitted from the development.
- 11) At least 11 months before the planning permission is due to expire, a decommissioning scheme to include the removal of all structures, equipment, and infrastructure relating to the development hereby permitted, and ground restoration, must be submitted to the local planning authority, which shall be approved in writing by the local planning authority before the expiry of the 40 year operation period.
- 12) Within 6 months of the expiry of the 40 year operation period, the site shall be decommissioned and restored in accordance with the approved decommissioning scheme.
- 13) In the event of the solar farm hereby permitted ceasing to operate for a continuous period of 12 months, it will be deemed to have ceased to be required. The solar farm and all ancillary equipment and structures shall be removed from the site within 1 year of the deemed cessation date and the site restored, in accordance with a decommissioning scheme that shall first have been submitted to and approved in writing by the local planning authority within 6 months of the deemed cessation date.

END OF SCHEDULE