

PLANNING CONTROL COMMITTEE

DATE: 11 April 2024

PLANNING APPEALS DECISION

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
AGR 4 Solar Limited	Proposed solar farm measuring 88 hectares with associated battery storage containers, transformers stations, storage buildings, fencing etc including means of access (amended plans received 30.05.2022).	Land To The North And East Of Great Wymondley Hertfordshire	21/03380/FP	Planning Permission Granted on 11 March 2024	Secretary of State (Called in Application)	<p>The Secretary of State considered whether there were material considerations which indicate that the proposal should be determined other than in line with the development plan.</p> <p>Weighing in favour of the proposal is the production of renewable energy which the Secretary of State considers carries substantial weight, including the wider environmental benefits associated with increased production of energy from renewable sources, as set out in paragraph 156 (formerly 151) of the Framework and the contribution which the proposals make to the generation of sufficient electricity to meet the requirements of about 31% of the homes in the District; the BNG contribution which carries significant weight, and the deliverability of the scheme which is afforded significant weight. Further to this are the positive benefits arising from the reduction in flood</p>

					<p>risk and contribution to permissive footpaths, to which moderate weight is afforded and from the reversibility of development and economic benefits from employment, which carry limited weight.</p> <p>Weighing against the proposal is harm to the Green Belt which carries substantial weight, harm to heritage which carries great weight and uncertainty about mitigation for displaced Skylarks which carries moderate weight. Further to this, harm is found to the impact on views from Graveley Lane and the Hertfordshire Way which carries considerable weight, to the landscape of the site and its immediate surroundings which carries significant weight and to the effect on landscape character area which carries moderate weight.</p> <p>The Secretary of State has considered paragraph 208 (formerly paragraph 202) of the Framework. He considers that the public benefits of the proposal do outweigh the less than substantial harm to the designated heritage assets and therefore, in his judgement, the Framework's heritage balance is favourable to the proposal.</p> <p>The Secretary of State has</p>
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						<p>considered paragraph 153 (formerly paragraph 148) of the Framework. He considers that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations, and therefore considers that very special circumstances exist.</p> <p>Overall, in applying section 38(6) of the Planning Compulsory Purchase Act 2004, the Secretary of State considers that the overall accordance with the development plan and the material considerations in this case indicate that permission should be granted.</p>
Bampleton Properties Ltd	Erection of one 2-bedroom dwelling (as amended by plans received 16th June 2023 and 18th July 2023).	Land Adjacent To 7 Butterfield Barley Hertfordshire SG8 8FD	23/01088/FP	Appeal Dismissed On 18 March 2024	Delegated	The Inspector stated that the proposal would conflict with Policies HE1 (Designated Heritage Assets), SP9 (Design and Sustainability) and D1 (Sustainable Design) of the North Hertfordshire Local Plan 2011- 2031 which together, and amongst other matters, state that new development should be well designed and located and respond positively to its context, and that the benefits of development proposals that would lead to less than substantial harm to the significance of designated heritage assets

						should be weighed against such harm. It would also conflict with Chapters 12 and 16 of the Framework, which highlight the importance of high-quality buildings and places and that great weight should be given to the conservation of heritage assets.
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