
Appeal Decisions

Site visit made on 1 November 2021

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2021

Appeal A Ref: APP/J9497/W/21/3278897

Northcombe, Bovey Tracey Road, Bovey Tracey, Devon, TQ13 9NH.

- 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 Chris Searle against the decision of Dartmoor National Park Authority (DNPA).
 - The application Ref. 0028/21, dated 14/12/2020, was refused by notice dated 30/4/21.
 - The development proposed is 20 ground mounted solar panels on 3 frames 1 of 8 and 2 of 6 panels in double landscape.
-

Appeal B Ref: APP/J9497/Y/21/3278894

Northcombe, Bovey Tracey Road, Bovey Tracey, Devon, TQ13 9NH.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr William Lewis against the decision of Dartmoor National Park Authority (DNPA).
 - The application Ref. 0029/21, dated 17/1/20, was refused by notice dated 30/4/21.
 - The works proposed are: 1) two armoured electrical cables to be attached to a wall to run alongside incoming electric supply cable and; 2) the cable would then come through the ceiling in the cupboard where the fuseboard is located, the generation metre would be in the same cupboard.
-

Decisions

1. Both appeals are dismissed.

Preliminary Matters

2. Neither of the DNPA's decision notices include reference to the site location plan on page 10 of the Supplementary Heritage Statement (SHS), dated April 2021. This plan shows the proposed solar panels located within the same field as those shown on 1:1,250 scale site location plan that was submitted when the applications were made. The revised plan shows the proposed solar panels located further to the east and this is the appellants' preferred location. I note that the revised plan does not show the proposed electric cable run.
3. The SHS was taken into account by the DNPA when it determined the applications. No party is therefore likely to be prejudiced if I was to take the revised plan into account. I have determined the appeals accordingly. In so doing, I have taken the proposed cable run to be the same as that shown on the 1:1,250 scale block plan (and described on page 13 of the SHS). This is also shown on a photograph submitted with the applications and which depicts a section of the new cable on the wall that links the house to an adjacent barn.

4. The works for the new cable above a modern ceiling and in a cupboard in the kitchen at the rear of the house (item 2, in the description of appeal B above) would not affect the character of the listed building. Consent is not therefore required for these works.

Main Issue

5. The main issue in both appeals is whether the proposals would preserve the Grade II listed building, listed as Northcombe Farmhouse, or its setting¹ or its features of special architectural or historic interest.

Reasons

Planning Policy

6. The development plan includes the Dartmoor National Park Core Strategy (CS) adopted in 2008 and the Dartmoor National Park Development Management and Delivery Development Plan Document (DM) adopted in 2013. My attention has been drawn to numerous policies. The most important policies to the determination of appeal A² are CS policy COR10 (small-scale renewable energy schemes) and DM policies DMD8 (listed buildings) and DMD15 (small-scale renewable energy schemes).
7. My attention has also been drawn to the provisions of the Dartmoor National Park Design Guide (DG) that was adopted in 2011. Amongst other things, this includes advice relating to renewable energy schemes and historic buildings. It can be given moderate weight.

The Main Issue

8. The heritage interest (significance) of the circa late 16th century Northcombe Farmhouse is primarily derived from its architectural and historic qualities. These include its stone and cob walls, chimney stacks, original 3 room plan with through-passage, fireplaces, window arrangement, original fabric and its past associations with agriculture within this part of Dartmoor.
9. The appeal site comprises the lower part of a sizeable sloping field at the rear of Northcombe Farmhouse and a section of a small orchard. It lies to the north of this former farmhouse and its associated group of traditional agricultural buildings³. This field forms part of the attractive rural landscape setting of all of these designated heritage assets. The appeal site's unspoilt, green open qualities make a small, but positive contribution to understanding the historic relationship between these important buildings and the surrounding landscape. It contributes to the significance (historic interest) of these listed buildings.
10. The proposed development would comprise a ground mounted array measuring approximately 17.5 metres long x 1.4 metres wide x 1.9 metres high. Part of the proposed electrical cable run would be in a narrow covered trench through a section of the adjacent orchard, with the remainder running along the stone wall between the house and one of the traditional barns. This above ground

¹ In appeal A, the site also forms part of the surroundings in which the group of three Grade II listed farm buildings about 15 metres east of Northcombe Farmhouse are experienced. The provisions of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are also engaged in respect of this group.

² The provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 are not engaged in appeal B.

³ The significance of these Grade II listed late 17th century stone rubble and cob buildings is derived primarily from their special architectural and historic qualities. These include their simple plan form arranged around a courtyard, the original walls and roof timbers, windows and other openings.

section of the cable run would be below an existing electrical cable that stretches between the house and barn.

11. The proposed development would be sited and designed so as not to intrude into views of the principal elevations of the former farmhouse and the listed barns alongside. From the driveway leading to this group and from within the courtyard, there would be no discernible change. From these areas, the ability to appreciate the significance of these listed buildings would be undiminished.
12. However, when this group of buildings was viewed from the field to the rear (north), the proposal would appear as a very modern and somewhat utilitarian development that would contrast rather awkwardly with the traditional qualities of the listed buildings. The proposal would erode the unspoilt, green open qualities of the appeal site and, to a limited extent⁴, would diminish the contribution the field makes to the historic landscape setting of this group.
13. The above ground section of the proposed electrical cable would also appear as a discordant addition to a section of traditional stone wall. This unfortunate clutter on the wall would, to a very limited extent, detract from an appreciation of the special architectural qualities of the former farmhouse and barn.
14. The proposed development and works would be reversible. In my experience, where permission/consent is granted for renewable energy schemes they are usually limited to a 25 year period. The adverse impacts that I have identified above could therefore be for a limited period of time.
15. In the context of the National Planning Policy Framework (the Framework), the proposed development would result in less than substantial harm to the significance of the above noted designated heritage assets. If there is a sliding scale within this category of harm the proposal would be towards the lower end. However, this does not amount to a less than substantial planning objection and great weight should be given to an asset's conservation.
16. In considering appeal A, I must weigh the less than substantial harm against the public benefits of providing renewable energy. In this regard and whilst only very small-scale, the proposal would help reduce greenhouse gas emissions and contribute towards tackling climate change. Amongst other things, the Framework states that even small-scale projects provide a valuable contribution. These public benefits of the proposal lend weight to the appellants' argument that permission should be granted.
17. CS policy COR10 and DM policy DMD15 are broadly supportive of small-scale renewable energy schemes. I am mindful that attaching solar panels to these listed buildings would, in all likelihood, be more harmful. I also note that the Design Guide, amongst other things, recognises that photovoltaic panels mounted at ground level may be an option available to applicants. Whilst the DNPA has asserted that alternative sites and methods of carbon reduction should be considered, it has not suggested any less harmful scheme(s). Amongst other things, the Framework advises local planning authorities to work proactively with applicants.
18. When the less than substantial harm to the significance of these designated heritage assets is weighed with the public benefits I find that matters are finely

⁴ The vast majority of the field would remain unspoilt and open and the listed buildings would continue to be experienced in a predominantly rural (agricultural) landscape setting.

balanced. However, the totality of the harm (the impact of the array and the above ground electric cable) tips against granting permission. This in turn leads me to find that overall the proposed development would be at odds with the provisions of DM policies DMD8 and DMD15(iii). In respect of appeal B, the proposed works would fail to preserve the special architectural interest of Northcombe Farmhouse.

19. I conclude on the main issue that the proposed development (appeal A) would fail to preserve the settings of Northcombe Farmhouse and the adjacent listed buildings. I also conclude that the proposed development (appeal A) and above ground works (appeal B) would fail to preserve the special architectural interest of Northcombe Farmhouse.

Other Matters

20. Within its decision notice (appeal A), the DNPA has also alleged conflict with development plan policies that seek to conserve and enhance the special landscape qualities of the national park. However, the DNPA has not demonstrated any conflict with such policies. I am mindful of the statutory duty⁵ regarding national parks, the provisions of UK Government's Vision and Circular 2010 for National Parks, as well as Government objectives for conserving and enhancing the natural environment⁶. In this instance, the size and siting of the proposed development would have an imperceptible impact upon the landscape and scenic beauty of the area.

Conclusion

21. My findings above in respect of the other matters do not overcome or outweigh the harm that I have identified in respect of the main issue. Having regard to all other matters raised, I conclude that neither appeal should succeed.

Neil Pope

Inspector

⁵ S62 (1)(2) of the Environment Act 1995

⁶ Section 15 of the Framework.