



Appeal Decision

Site visit made on 25 September 2023

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2023

Appeal Ref: APP/J9497/W/23/3319919

Willake, Goodameavy, Roborough, Plymouth PL6 7AP

- 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 Oliver Gaylard against the decision of Dartmoor National Park Authority.
 - The application Ref 0346/22, dated 15 July 2022, was refused by notice dated 12 October 2022.
 - The development proposed is the installation of 9.24kW of ground mounted all black solar photo voltaic panels in field behind an agricultural barn, facing south in two rows, with all cabling to the property below ground.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of 9.24kW of ground mounted all black solar photo voltaic panels in field behind an agricultural barn, facing south in two rows, with all cabling to the property below ground at Willake, Goodameavy, Roborough, Plymouth PL6 7AP in accordance with the terms of the application, Ref 0346/22, dated 15 July 2022, and subject to the following 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 (plan reference number TQRQM22224123758497),
 - Willake, Goodameavy – Ground mounted Solar PV installation North, East, West and South elevation profiles,
 - Willake Ground Mounted Array plan with Plan view, East and West elevations.
 - 3) The solar panels hereby approved shall be fitted with black outer frames.
 - 4) Upon becoming redundant, within a period of six months, the solar panels and supporting structure shall be permanently removed from the land and the land shall be restored to its former condition.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. Willake is an attractive stone and slate dwelling set about half way up a broadly west facing hillside. In addition to the dwelling there is grouped a small collection of stone barns and a modest sized more modern barn with a shallow

sloping roof. There are a small number of other substantial properties in the broad vicinity.

4. The National Park Authority's planning report explains that the site falls within the '2D Moorland Edge Slopes' landscape character type. The Dartmoor National Park Landscape Character Assessment identifies the valued attributes of this landscape as including a rich and intricate landscape full of contrasts with a strong pattern of medieval fields, prominent Devon hedge banks and dry stone walls, pastoral fields contrasting with areas of heathy moorland, and spectacular views to the moorland core of Dartmoor as well as the surrounding countryside outside the National Park.
5. When viewed from the higher moorland to the general west, which forms part of Wigford Down, Willake can be appreciated within the wider, expansive landscape which is dominated by the generally medium sized, grazing fields bounded by hedging and trees, and some copse of woodland. This attractive National Park landscape is characteristic of this landscape character type.
6. The National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. This policy requirement is reflected in the Dartmoor Local Plan 2018-2036 (the Local Plan). In particular with relevance to this appeal proposal, Policy 6.6 of the Local Plan covers renewable energy development, and which explains that such development will be encouraged where it does not harm the National Park's Special Qualities including landscape character, taking into consideration the cumulative impact with other development. The supporting text to the policy explains that the need for renewable development does not override environmental protections, although renewable energy development which meets the energy demands of a single property, business or local community is unlikely to have an impact on the National Park's Special Qualities.
7. The reason for refusal also references the English National Parks and the Broads – UK Government Vision and Circular 2010¹ (the National Parks Circular). This sets out the vision that includes that National Parks are leading the way in adapting to, and mitigating, climate change. The Circular explains that renewable energy is key to achieving the UK's emissions reductions targets and the move towards low-carbon living, with the National Parks being exemplars in renewable energy. The Circular also asks that authorities should work with local communities to reach a position where renewable energy is the norm in all Parks, whilst not compromising their overriding duty set out in the first purpose to conserve and enhance natural beauty, wildlife and cultural heritage.
8. In this case, the proposal would provide two rows of photo voltaic arrays to help to meet the electricity needs of this individual property. The arrays would not be especially tall because the frame would allow them to be positioned low to the ground and they would have a black finish with a black frame. The arrays would be sited on a sloping part of a grazing field about 60m away from the dwelling and the connecting cables would be undergrounded.

¹ March 2010 – Defra.

9. In terms of visual impacts, there would be sections of the footpath along the River Meavy and the nearby cycleway where there would be views towards the arrays. They would not be seen in association with the buildings but would, nevertheless, be a reasonable distance away, would be framed against the hillside and would form a minor component of the landscape seen from reasonably limited locations and would not be especially prominent in the wider context. Their dark colour, together with the limited size of the arrays, would not especially draw the eye for walkers and riders moving through the landscape on the footpath or cycleway. Consequently, the arrays would not detract from the experience or enjoyment of the countryside for users, nor the appreciation of the National Park's Special Qualities within this landscape character type.
10. From the moorland to the broadly west, there would be some very limited views of the arrays, such as by the trees on the land just within the moorland beyond the cattlegrid. In these views, the arrays would be a very small element in the wider landscape and experienced in the general context of the building group. Beyond these points, the moorland rises but, while the house and outbuildings are apparent in the landscape, the arrays would be largely screened by trees along the bottom of the field in which they would be sited. Even when the leaves were off these trees, the arrays would not be especially apparent because, in addition to the intervening trees, the topography of the moorland would substantially reduce views of the arrays from most locations. Furthermore, in terms of other locations, the development would not be visible from surrounding properties, in closer public views nor from the road that passes the front of the property.
11. I consider that, while the arrays are outside the residential curtilage, they are proposed in a location with limited visibility and would only have a minor presence within the landscape. If they are to function to a reasonable extent, PV panels will need to be exposed to natural light, and preferably regular sunlight, and this means that, almost inevitably, in a landscape with elevated locations and long distance views, that there would be some visibility. Indeed, the dwelling and main outbuildings are fairly conspicuous within the landscape from the moorland and if the slate roofs of these traditional buildings, or the light coloured roof of the more modern barn, were to be used, any PV panels would be fairly prominent additions to and amongst this traditional group within the landscape. I am not persuaded following my site visit, that there would be suitable on-ground locations within the curtilage for the PV arrays. This is because of the surrounding buildings, walls around parts of the garden and/or the presence of tall trees that would, depending on the location, substantially reduce the efficiency of the PV panels. The proposed location is generally well sited to minimise its visual impact while providing efficient generation and would allow this attractive building group to be retained in their original form.
12. In terms of the effect on the character of the area, the National Park Authority are concerned that the addition of the PV arrays would harm the pastoral character of the field, which forms part of a largely intact medieval field system that can be identified on the tithe maps. The arrays would have an angular appearance and not be of a natural or traditional character. However, the additions within the field would be fairly minor relative to its size. In addition, they would be reasonably low to the ground, positioned to step up the slope and have no material impact on the surrounding boundaries of the field or the

legibility of the original field pattern. The field could continue to be grazed by sheep and when within the field there is sufficient visual linkage between the PV arrays and the adjoining farmstead that the arrays would not be experienced as isolated development in the countryside. In the circumstances of this site, I do not consider that the arrays would cause any unacceptable impact on the character of the field or the wider landscape.

13. Drawing these matters together, while I can understand that the National Park Authority may normally wish to see PV arrays within the curtilage of the dwelling, the situation in this case is such that ground mounted arrays would be difficult to accommodate elsewhere and panels attached to the roof of a building would be likely to be more prominent. I am satisfied that the location shown has minimised to an acceptable level its visual effect on the landscape and the development would not have a material effect on the character of the countryside nor the historic layout of the field system adjoining the house. The scheme is acceptable in its own right and there would not be an unacceptable effect on the landscape and scenic beauty of this part of the National Park.
14. There would be benefits from the scheme with the reduction of the carbon footprint of the property and this would accord with the intentions of the National Parks Circular to seek to accommodate appropriate scale renewable development without affecting the natural beauty, wildlife and cultural heritage of National Parks. This is a case, envisaged by the supporting text to Policy 6.6 of the Local Plan, where meeting the energy demands of a single property does not have an unacceptable impact on Dartmoor's Special Qualities. It follows that I conclude, in the specific circumstances of this case, that the development would comply with Policies SP1.1, SP1.2, SP2.1 and P6.6 of the Local Plan, the Framework and the requirements and advice in the National Parks Circular which seek, amongst other things, that development conserves and enhances the landscape and scenic beauty of National Parks.

Conditions

15. The National Park Authority has suggested a number of conditions which I have considered taking account of the Framework and Planning Practice Guidance. In addition to the statutory time limit, a condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty.
16. A condition is necessary to ensure that the outer frames are finished in a black colour, rather than just the PV panels themselves, to help to conserve the character and appearance of the area. A condition is necessary to require the removal of the panels and supporting structure if they become redundant, so that this man-made addition to the landscape is removed if no longer functioning, in the interests of the character and appearance of this field area.

Conclusion

17. The development would not harm the character and appearance of the area and would comply with the development plan when considered as a whole. There are no planning considerations that indicate the decision should be made otherwise than in accordance with the development plan. Accordingly, I conclude that the appeal should succeed.

David Wyborn INSPECTOR