



Appeal Decision

Site visit made on 17 September 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Ref: APP/Q1153/W/25/3365104

Land At Hatchmoor Industrial Estate, Hatherleigh, Okehampton EX20 3LP

- 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 Ashleigh Boyce against the decision of West Devon Borough Council.
 - The application Ref is 3921/24/FUL.
 - The development proposed is Construction and operation of a micro energy storage facility.
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Decision

1. The appeal is allowed, and planning permission is granted for the construction and operation of a micro energy storage facility at Land At Hatchmoor Industrial Estate, Hatherleigh EX20 3LP in accordance with the terms of the application, Ref 3921/24/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

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

Reasons

3. The appeal site is alongside the A3072, within a rural location. It is part of a wide grass verge in front of Hatchmoor Industrial Estate and opposite a residential area, set in front of a tree and hedge boundary. These developed areas are a short distance from the centre of Hatherleigh, on the opposite side of the A386. Due to its open character, and being part of a relatively long grass verge, the site makes a positive contribution to the open and verdant character of the area.
4. The proposed development would consist of four large cabinets, enclosed by a wooden fenced enclosure. The micro energy storage facility would store electricity during off-peak times and distribute it when demand is high. It is close to a substation and offers a viable connection to the electricity grid. The benefits of the proposal, in promoting renewable energy storage capacity, are supported by paragraphs 165 and 168 of the National Planning Policy Framework (the Framework).
5. The proposed cabinets would be largely screened within the fenced compound. In local views, the proposed development would be relatively small-scale and framed by trees and hedging behind. It would not be especially prominent in the street, being recessed a reasonable distance from the highway, and would be further framed by industrial buildings behind. Also, in longer views the proposed development would be well screened by roadside landscaping and the curvature of

the road, limiting its visibility in such views. As such, whilst relatively utilitarian in design, the proposal could be readily absorbed into the local streetscene without resulting in undue harm.

6. Although located on an A-road, the proposal would not be especially striking due to the generous width of the highway and the local sense of spaciousness. Furthermore, whilst the Council regard the site as an important site that marks the entrance to the town as a gateway point, this was not readily apparent during my visit. The site is not especially significant, in consideration of local road hierarchy or in marking a transition point from open countryside into a built-up section of the town.
7. Consequently, the proposal would not result in an adverse effect on the character and appearance of the area. As a result, the proposal would comply with policy DEV20 of the Plymouth and SouthWest Devon Local Plan 2014-2034. This seeks, among other matters, for development to meet good standards of design and have regard to the pattern of local development in terms of local distinctiveness.

Other Matters

8. The proposal is supported by a Noise Assessment. This demonstrates that the battery equipment would not exceed background noise levels at 15 metres from the equipment, which would remain a significant distance from the front elevation of the nearest residential property. As such, the Assessment shows the proposal would not result in an adverse noise effect, a view shared by the Council's Environmental Health Officer.
9. In highway terms, the proposal would be set away from the junction into Hatchmoor Industrial Estate, and would not obstruct its northeast visibility splay, having no adverse effect on highway safety.
10. An interested party has raised concerns that the proposed storage facility is not needed, based on the provision of existing and approved battery storage across the Country. It is also asserted that the proposal would result in ground contamination and create a safety risk. However, concerns with respect to contamination have not been raised by the Council. Furthermore, the Framework is clear that the need for renewable or low carbon energy is not required to be demonstrated by applicants.
11. Devon and Somerset Fire and Rescue acknowledge that battery storage facilities can pose specific hazards in the event of fire and these are not fully understood. It has advised that a Fire Safety Management Plan should be prepared that includes risk management measures, as set out in the Council's officer report. On this basis, a pre-commencement condition would be an appropriate method to secure the required details. As such, I am satisfied that the proposal would not result in unacceptable impacts on residential amenity or the natural environment in safety terms.
12. The site is around 220 metres from Hendon Pen, a grade II listed building. Its significance derives from its architectural and historical interest. Due to the separation distance between this and the site, and intervening roadside tree screening, its significance would be preserved.

Conditions

13. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance. I shall take the Council's suggested conditions into consideration and impose these with some amendments and adjustments for clarity. I have imposed a time frame condition and approved list of plans for clarity and certainty [conditions 1 and 2].
14. Condition 3, for the submission of a Fire Safety Management Plan, is necessary to be submitted at a pre-commencement stage, to comply with the advice of Devon and Somerset Fire and Rescue. Conditions for the submission of a landscaping scheme and for the containers to be green in colour are required in the interests of the character and appearance of the area [4 and 5]. Furthermore, condition 6 is required to ensure that the equipment is removed once no longer required to prevent the accumulation of visual clutter in the street.

Conclusion

15. For the above reasons, the proposed development would comply with the development plan as a whole and should be allowed subject to conditions.

B Plenty

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing no's: Plan 1 - Site Location Plan (1:500), Plan 2 - Rev:A Site Layout Plan (1:200), Plan 7 Rev A - Site Floor Plan, Plan 4 - Plan & elevations (battery equipment), Plan 5 - Plans and Elevations (Electrical Cabinet), Plan 10 - Proposed Site Elevations SE (Wooden Fence), Plan 12 - Site Elevations NE (Wooden Fence), Plan 13 - Site Elevations SW (Wooden Fence), and Plan 14 - Visibility Splay Plan.
- 3) No development shall commence until a Fire Safety Management Plan (FSMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the FSMP as approved and adhered to for the lifetime of the development.
- 4) Prior to the installation of the battery units a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape designs and specifications shall include the following:
 - a. Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The Scheme should include a full schedule of plants.
 - b. Details of any changes of level across the site to be carried out. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in accordance with the approved timetable for implementation. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the local planning authority gives written consent to any variation. The approved Landscaping Scheme shall be carried out in its entirety, prior to the first operational use of the battery units and shall accord with the approved details and timetable.
- 5) The battery containers of the development hereby permitted shall be painted or powder coated green in colour, prior to the first operational use of the battery units and shall be maintained as such for the lifetime of the development.
- 6) Within three months of the permanent cessation of the use of the development hereby permitted, the development shall be removed and the land restored to its former condition.

End of conditions