

Appeal Decision

Site visit made on 13 November 2025

by **H Jones BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/W9500/W/25/3372993

Land north of Oak House, Stoneley Woods Estate, Sleightholme Dale Road, Fadmoor, North Yorkshire YO62 7JH

- 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 Stoneley Woods Estate against the decision of North York Moors National Park Authority.
- The application Ref is NYM/2024/0838.
- The development proposed is the installation of a ground mounted solar array comprising 240 panels (440W).

Decision

1. The appeal is allowed and planning permission is granted for the installation of a ground mounted solar array comprising 240 panels (440W) at Land north of Oak House, Stoneley Woods Estate, Fadmoor, North Yorkshire YO62 7JH in accordance with the terms of the application, Ref NYM/2024/0838, subject to the conditions in the attached schedule.

Preliminary Matters

2. The site address in the banner heading above is taken from the appeal form which I consider accurately describes the location of the appeal site.
3. The appellant's submissions include a sun path analysis report¹ which was not before the National Park Authority when it made its decision. The report provides some details of daylight hours available at the appeal site, but it does not alter or amend the proposed development in any way. The report accompanied the appellant's appeal statement, and the National Park Authority have had the opportunity to comment on it. Through the National Park Authority's notification processes during the appeal, third parties have also been given the opportunity to submit comments on the appellant's submissions. In the circumstances, I am satisfied that it is procedurally fair to accept the sun path analysis report, and I have had regard to it in reaching my decision.
4. The appeal site is within the North York Moors National Park. Therefore, Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended) places a statutory duty upon me to seek to further the statutory purposes of the NP, which includes conserving and enhancing the natural beauty of the designated area. In making my decision, I have had regard to this statutory duty.
5. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers

¹ Sun Path Analysis Report generated September 14 2025

conferred by Regulations 14(1) and 7(5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area, including having regard to the appeal site's location within the North York Moors National Park (the NP).

Reasons

7. The NP has the highest level of protection in relation to landscape and scenic beauty. Its special qualities, relevant to natural beauty, derive from its range of contrasting landscapes—such as deeply cut dales, vast expanses of heather moorland, and dramatic coastline—as well as distinctive settlements that exhibit widespread use of traditional local building materials. These qualities are further complemented by a sense of remoteness, created by open big-sky views and dark night skies.
8. The North York Moors Landscape Character Assessment identifies the appeal site as being situated within the Limestone Hills Landscape Character Type and, therein, within the particular Landscape Character Area of the Central Limestone Hills. The surroundings of the appeal site exhibit a landscape character reflective of that which the Landscape Character Assessment sets out as being characteristic of the area: heather-covered elevated moorland plateau, steep valley sides and woodland all feature in the area. The appeal site is also reflective in that it forms part of a quite regularly shaped field bounded by fencing and hedgerow. However, the field itself is otherwise unremarkable in its appearance and, as such, it does not convey the NP's special qualities.
9. The proposed development would be introduced to a presently undeveloped and open tract of field. Owing to the dark-coloured glass of the proposed solar panels, and their attachment to the ground by a post mounting system, the solar array would have a quite utilitarian appearance. The solar array would also be fenced off from the remains of the field, altering the established field enclosure pattern.
10. As a result, the completed development would be at some odds with the openness and verdancy which the appeal site currently exhibits, and it would lead to a degree of erosion of rural character. However, the solar array in this case is quite small-scale. The tract of land which would be affected by the proposed development is not extensive, confined to just a modest portion of a much larger field. Therefore, the proposal's scale moderates its effects on landscape character such that, although I accept an amount of harm to it would arise, it would be localised and it would be limited.
11. The Stoneley Woods Estate is a private estate and coupled with its deeply rural location, it benefits from being within a generally secluded position, set away from many properties and roads with much passing traffic. Furthermore, the field containing the appeal site is partly bounded by woodland, which helps to screen the site from neighbouring land. These factors would contribute to reducing the number of visual receptors likely to experience the visual effects of the proposal. However, that said, a public footpath skirts the southern boundary of the field and, since the Estate provides accommodation and holds events, the Estate will receive visitors.
12. For much of its route in the vicinity of the appeal site the public footpath is bounded by, or meanders through, trees and bushes, and there is a mix of deciduous and coniferous

species. In areas, some of the trees are mature but, along much of the relatively straight stretch south of the appeal field, the trees are immature. Even so, there are many of them, and they are generally densely planted together. The footpath traverses some undulating land too. Therefore, along stretches of the footpath's route, walkers would be on much lower ground than the appeal site. All this means that, even in the winter months, from many points along the public footpath near the appeal site, views of the proposed development would be limited or screened. From my own site visit observations, and the evidence before me, the clearest views of the proposed development from the footpath would be from those points where the footpath comes close to the south-east corner of the field but, overall, such clearer views would be confined to small sections of the footpath.

13. The National Park Authority have not drawn to my attention any specific viewpoints from distant or elevated locations of particular concern to it. Furthermore, given my findings on the proposal's scale and the site's degree of screening, I have no firm basis on which to conclude that the proposal would create a prominent or intrusive feature in such views.
14. Overall, I find that a limited amount of localised visual and landscape character harm would arise as a result of the proposal. In turn, a limited adverse effect on the character and appearance of the area would be brought about by the proposal. Given how limited this harm would be in the context of the expansiveness of the NP, I am satisfied the natural beauty of the NP would be unharmed, and thereby conserved, with its special qualities unaffected.
15. Amongst other matters, Policy ENV8 of the North York Moors National Park Authority Local Plan (the LP) sets out that renewable energy development proposals will only be permitted where they would not result in unacceptably adverse impacts on the special qualities of the NP and that they would be respectful and complementary to the landscape character type. Amongst its content, the LP's Strategic Policy A seeks to ensure that the natural beauty of the NP is conserved and enhanced and that development respects and reinforces the character of the local landscape.
16. I have identified that the special qualities of the NP would be unharmed. However, the specific requirements set out in the aforementioned policies requiring developments to respect, reinforce, and complement the existing landscape character set a high bar to meet. Given my findings that the proposal would contrast with the appeal site's openness and rural character, it would not respect, reinforce or complement the landscape's character. This leads me to conclude that, the proposal conflicts with Policy ENV8 and Strategic Policy A.
17. Finally, the Council refer to the Renewable Energy Supplementary Planning Document (the SPD). Much of the SPD's guidance in relation to solar panels is geared toward installations on buildings. Where it refers to ground mounted panels, it advises on their placement within rear gardens or locations away from the main frontages of properties or other important views. Given that the proposed solar array would not be prominent or intrusive in important views or views of the frontages of buildings, the proposal complies with the SPD's guidance.

Other Matters

18. The proposal would assist in the Stoneley Woods Estate being energy self-sufficient and energy resilient. In turn, this would support the Estate's business operations. In doing so, the proposal would also contribute to mitigating the effects of climate change.

Further benefits can be expected from the proposal's achievement of biodiversity net gain, as well as from wider economic and employment effects likely to result from the construction phase and contributions made to supply chains. I return to these benefits in my planning balance.

19. The National Park Authority assert that a more suitable location for the proposed development, closer to existing buildings, could have been identified. However, it has not suggested a specific site or design which it considers would be more appropriate. Furthermore, site selection constraints apply. These include the need to ensure sufficient solar irradiance within what is a generally wooded area, whilst the traditional architecture of the manor house within the Stoneley Woods Estate is of merit, and a location sited closer to it may well detract from its character and appearance. Regardless, I am required to determine the proposal before me, at the appeal site, on its own merits. Consequently, the National Park Authority's submission that a more appropriate site could be identified is a matter of limited weight in my decision.

Planning Balance

20. In my main issue, I have identified conflict with two of the LP's policies and, overall, I find that the proposal would conflict with the development plan taken as a whole. That said, although the extent of the harm to the character and appearance of the area is sufficient to bring about this development plan policy conflict, the magnitude of the harm is limited, the beauty and special qualities of the NP would be conserved and, consequently, I attribute only a moderate amount of weight to this conflict.
21. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) are important material considerations. I am mindful of the policy guidance therein which sets out that the planning system should support the transition to net zero, that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply and will assist in slowing down the effects of climate change, whilst it will also stimulate investment in new jobs and businesses. Paragraph 168 of the Framework specifically sets out that significant weight should be given to the benefits associated with renewable and low carbon energy generation and to proposals' contributions to a net zero future.
22. In this context, the assistance which the proposed development would bring to the Stoneley Woods Estate being energy self-sufficient, energy resilient and mitigating the effects of climate change is a matter which weighs heavily in the proposal's favour. Added to this would be the more modest benefits arising from the support the proposal would provide to rural enterprise, other economic and employment related benefits and through the achievement of biodiversity net gain.
23. Overall, I find that these benefits are significant enough that they outweigh the harm to the character and appearance of the area I have identified in my main issue and provide me with sufficient reason to conclude that planning permission should be granted despite the conflict with the development plan.

Conditions

24. Both appeal parties have suggested conditions to me. I have considered these conditions in the light of the tests for the imposition of conditions set out within the Framework and the content of the PPG. Both the Framework and the PPG are clear that planning conditions should be kept to a minimum and only imposed where they would satisfy all 6 tests for their imposition. Having regard to the Framework and the

PPG, and in the interests of clarity or precision, I have made some amendments to the conditions suggested to me.

25. Condition 1 sets out the standard time limitation. Condition 2 is necessary to ensure that the proposed development is carried out in accordance with the approved plans for the reason of certainty.
26. The statutory biodiversity net gain framework (the BNG Framework) applies to the proposed development. In contrast with most planning conditions, the Biodiversity Gain Condition, which the BNG Framework imposes, has its own separate statutory basis, and it requires the Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to the commencement of development. Given these distinct provisions, the PPG strongly encourages that the Biodiversity Gain Condition is not replicated within the schedule of conditions imposed in the written notice when planning permission is granted. Consequently, although it applies, my schedule does not include a condition requiring the Biodiversity Gain Plan to be submitted and approved.
27. However, the PPG also advises that appropriately worded planning conditions may help achieve effective monitoring and enforcement in relation to the BNG Framework. I am mindful of the comments made by the National Park Authority's Ecologist, which state that some of the specific habitat enhancements proposed can be difficult to create, and it requires particular consideration to be given to the soil and its management. Consequently, in this case, the submission of, and subsequent adherence to, an approved habitat management and monitoring plan is necessary (condition 3). This condition is a pre-commencement condition. This is necessary in the circumstances because the Biodiversity Gain Plan must be discharged before development commences, and consideration of the management required to ensure the success of the habitat creation should likewise be undertaken at the earliest juncture.
28. Conditions 4 and 5 are each necessary in the interests of the character and appearance of the area, in order to precisely determine the final appearance of the solar array and its associated enclosure. Conditions 6 and 7 are each also necessary in the interests of the character and appearance of the area. This is to ensure the site is properly restored and all development equipment removed should the operation of the solar array cease, thereby preventing any deterioration in the site's appearance.

Conclusion

29. For the reasons I have set out, the proposed development would conflict with the development plan as a whole, however, the material considerations in this case indicate that a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed subject to the conditions in the attached schedule.

H Jones

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 the following plans:

Buy A Plan Site Location Plan
Side View and Top View Panel Arrangement
Overview Plan of Location of Solar Panels, Inverters and Meter
Screw Pile Technical Specification
Vertex S+ Product TSM-XXXNEG9R.28 specification
3. No development shall take place until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
 - i) the management measures to maintain the created or enhanced habitats required by the Biodiversity Gain Plan; and
 - ii) details of the monitoring methodology and frequency in respect of the created or enhanced habitats to be submitted to the local planning authority;

The created or enhanced habitats shall be managed in accordance with the approved HMMP, and the monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
4. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the solar array hereby permitted, including details of their colour finish, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
5. No development above ground level shall take place until details of the fencing to enclose the solar array hereby permitted, including details its layout, height, material and colour finish, have been submitted to, and approved in writing by, the local planning authority. The fencing shall be erected in accordance with the approved details, and it shall be erected before the solar array hereby permitted becomes operational/starts generating electricity.

6. Within 12 months of the cessation of electricity generation by the solar array, the solar array and all associated works/equipment shall be dismantled and removed from the site, and the site shall be restored in accordance with a scheme that shall first have been submitted to, and approved in writing by, the local planning authority.

7. In the event of the solar array failing to produce an electricity supply for a continuous period of 12 months, it will be deemed to have ceased to be required. The solar array and all associated works/equipment shall be dismantled and removed from the site within 12 months of the deemed cessation date, and the site shall be restored in accordance with a scheme that shall first have been submitted to, and approved in writing by, the local planning authority.