



Appeal Decision

Site visit made on 24 July 2025

by **T Gethin BA (Hons), MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th August 2025

Appeal Ref: APP/D0840/W/24/3358031

Land North of Canworthy Water, Canworthy Water, Launceston PL15 8UB

- 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 Windel Solar 4 Ltd against the decision of Cornwall Council.
- The application Ref is PA23/04306.
- The development proposed is Development comprising the delivery of a ground mounted solar farm alongside associated infrastructure including distribution substation upgrades with the capacity to deliver approximately 42MW of renewable energy.

Decision

1. The appeal is allowed and planning permission is granted for development comprising the delivery of a ground mounted solar farm alongside associated infrastructure including distribution substation upgrades with the capacity to deliver approximately 42MW of renewable energy at Land North of Canworthy Water, Canworthy Water, Launceston PL15 8UB in accordance with the terms of the application, Ref PA23/04306, and subject to the conditions set out in the schedule to this decision.

Application for costs

2. An application for costs was made by Windel Solar 4 Ltd against Cornwall Council. This application is the subject of a separate Decision.

Preliminary Matters

3. An amended site layout plan and amended landscape and ecological masterplan were submitted with the appeal. Amongst other aspects, these include additional hedgerow planting in various parts of the appeal site, minor amendments to the position of solar panels across the site, some changes to on-site access tracks and fencing, and the removal of some solar panels from areas with high archaeological sensitivity. To account for the proposed amendments, some reports and other documents were updated/revised (including, for example, photomontages from the Landscape and Visual Impact Assessment) and some additional technical notes/statements were also supplied.
4. The amended plans and updated/additional documents clearly include some changes and additions compared to the scheme that was considered by the Council and by interested parties at the application stage. However, the amendments proposed to the scheme are not so significant that they would fundamentally change the development proposed or result in a substantial difference from that originally applied for. The available evidence also indicates that the findings of the Environmental Statement remain valid whilst the submitted statement of common ground confirms that the Council has no concerns with the

amended plans being considered as part of the appeal. Accordingly, considering the appeal with regards to the amended plans and additional details would neither cause procedural unfairness nor prejudice third parties' interests, and I have determined the appeal on this basis.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding landscape.

Reasons

6. Covering some 82 hectares, the appeal site encompasses a relatively large area. Containing numerous pasture fields bound by extensive hedges and including some trees, the site positively contributes to the agricultural character and verdant appearance of its rural landscape setting. Although the site is within Cornwall Character Areas CCA39 (Upper Tamar and Ottery Valleys) and CCA38 (Western Culm Plateau), the majority site is within the latter with only a tiny part in CCA39. On this basis, the landscape of the Western Culm Plateau is clearly most relevant, although as CCA38 covers a relatively large area with a variety of features, some of its valued attributes are not relevant to the site and the landscape in which it is set. However, the relevant attributes and characteristics include the traditional pastoral use; the historical small-scale field pattern bound by the important landscape features of Cornish hedges (with trees); and the sense of openness from the exposed plateau, with the contrast between its simple landform and complex local details identified as providing special interest. The site's situation (which is also identified as being entirely within Landscape Character Type D: Downs) and form broadly reflect this.
7. Despite its size, public views of the site are limited by topography and the numerous hedgerows on the site and in the locality. These aspects, combined with its extensive nature, also mean that not all of the site can be seen at once. Nevertheless, parts of it are clearly visible from some points in the surrounding area. This includes in both short and medium-longer distance views, such as from the existing field access at viewpoint (VP) 2, from the public right of way in the vicinity of VP6 and from Warbstow Bury (VP10). I observed on my visit that parts of the site are also visible to some extent via, for example, glimpses through field openings and above hedges from (and near) the highway leading north-west from Canworthy Water; and from the public rights of way in the vicinity of VP4 and VP5.
8. Various site features such as hedges, trees, watercourses, culm grassland and the field pattern would not be adversely affected by the proposed development, and much of the site could continue to be grazed. However, whilst the development would not cover the entire site, the proposal would result in a significant change to its character overall due to its adverse effect on land cover. Nevertheless, the visual change in the vicinity of the site would be limited due to topography and soft landscaping screening much of the development. With additional planting being provided and existing hedges and trees being allowed to grow, some important landscape aspects of the site's character would be enhanced, whilst some historic field boundaries would also be reintroduced/replicated. In addition, taking account of panel positions and planting (existing and proposed), the short distance view through the opening into field 18 (at VP2) would essentially be restricted to a glimpse of a small part of the development.

9. Most other public views with clear visibility of the proposed development would involve generally longer distance vistas in which the wider, open, undulating landscape would be experienced. In addition, the development would be broken up by existing and additional planting and not all of it could be seen in one view. Furthermore, it would read as largely recessive in the wider landscape due to the site's relatively low-lying position and, amongst other aspects, the low profile of the solar panels. The site and locality also include various electrical infrastructure, such as pylons, a sub-station and the neighbouring 25 megawatt solar farm.
10. The development proposed would therefore neither appear as a wholly incongruous or particularly notable feature in the locality. Despite the presence of other solar farms in the surrounding area and further afield, neither would it result in solar farms becoming a dominating land use or defining characteristic of either the local or wider landscape. It would also not significantly adversely affect the valued attributes of the relevant landscape character areas and types.
11. Nonetheless, the appeal proposal would read as a modern, industrialising feature covering a relatively large area of largely undeveloped, pastoral countryside. When seen in-combination with the existing neighbouring solar farm, which the evidence indicates would be in several views, it would also appear as a more prominent element within the local area. This directly relates to the identified pressures of the character areas which include, amongst other aspects, the introduction of renewable energy development impacting on the rural agricultural landscape and such development becoming more prominent and increasingly prevalent within the farmed landscape.
12. Taking all of the above into account, the development proposed would overall therefore have a moderate adverse effect on the character and appearance of the surrounding landscape. That the development may appear as a minor extension to the adjacent solar farm in some views and that the area is identified by the Council as being of medium-high/high sensitivity to solar developments do not lead me to a different conclusion. In coming to this view, I have also taken into account its temporary, reversible nature; that new planting would take some time to mature; the landscape is neither locally or nationally designated nor defined as a valued landscape; and that the adjacent solar farm has been identified by the Council's landscape sensitivity assessment as being well-integrated into the landscape.
13. In addition, there is a reasonable degree of separation to the other nearest solar farms that my attention has been drawn to. The available evidence also indicates that opportunities to see the proposed development in the same view as any of those would be very limited given the undulating topography for example; and the landscape in which the proposed development would be seen would have neither an obviously nor unacceptably high number of similar developments.
14. Nevertheless, for the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding landscape. I therefore find that it conflicts with Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (CLP). Amongst other aspects, these expect proposals to respect and enhance quality of place and sustain local distinctiveness and character.
15. However, as I have found that the appeal proposal would have a moderate adverse effect, and planting would further mitigate the development's effect on the

landscape, I find no conflict with Policy RE1 of the Climate Emergency Development Plan Document (DPD) in relation to this matter. This is because the policy supports renewable energy proposals where, amongst other aspects, there would be no significant adverse impacts on the local environment that cannot be satisfactorily mitigated. Whilst the Council also alleges a conflict with CLP Policy 1, my attention has not been drawn to any words in it that are relevant to this issue. The policy has therefore not been determinative in my decision.

Other matters

16. Although there are no designated heritage assets within the site, there are various such assets, including listed buildings and scheduled monuments, in the surrounding area. However, the Council does not allege that the proposal would harm any designated heritage assets and have agreed that the proposal would result in no harm through change to the setting of any such assets. Having considered the development and visited the site, I have no reason to find otherwise. With the amended plans avoiding development of the site's most archaeologically sensitive areas, combined with archaeology-related conditions, there would also be no harm to non-designated heritage assets.
17. A number of other matters have been raised by various parties and I have taken them all into account. This includes: the need for solar energy, its level of efficiency (including in comparison to offshore wind), where the electricity that is produced would be used and the need for back-up sources of power; consideration of alternative sites (including using brownfield sites and installing panels on existing roofs and new buildings); where the panels would be made and how environmental/sustainable they are; flood risk and drainage issues; loss of farmland and the production of food and silage; the impact on the price of land, with tenant farmers being driven out; highway safety, damage and congestion issues, particularly with regard to access via the narrow rural lanes, a bridge and un-made track; connection to the electricity network versus battery storage; the extent of the appellant's community consultation exercise and the Council's consultation on the planning application; the time needed for residents to review the submitted documents, some of which are alleged to be misleading; the proposed plans showing typical rather than actual/final designs; harm to wildlife; pollution; the effect on the living conditions of neighbouring occupiers, including with regards to noise and light pollution, glint and glare, health risks (including from exposure to electromagnetic fields), overlooking/loss of privacy, inconvenience from construction works, and outlook; the proximity of the site to existing properties in Canworthy meaning that the houses that look on to the site would have clear views of the proposed solar panels/farm; the use of water to clean the panels and the need for rainwater harvesting; harm to tourism and the area's tranquillity; lack of specific local benefits, with the profit not being kept in the county/country; the proposal would be seen as an addition to the existing neighbouring solar farm, which is said to be (one of) the largest in Cornwall, with the panels combining to appear as one large mass of glass; the impact on dark sky reserves; the 40 year lifespan not equating to a temporary development; a previous application for a wind farm on the site being refused; and the local community, the parish councils and Cornwall Council not wanting the scheme.
18. However, whilst I recognise the strength of local concern and take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in

relation to them or be unacceptable with regard to any of those matters which are related to planning. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed. Some of the issues raised, such as regarding construction works, light pollution, final design details and wildlife protection/enhancement can also be covered by planning conditions.

Planning Balance

19. Inconsistent with the provisions in the National Planning Policy Framework (Framework) which seek to conserve and enhance the natural environment, the proposed development would harm the character and appearance of the site and surrounding landscape. Whilst this attracts significant weight, and I recognise that the countryside is of great import to people who live and holiday in the area, I have found that the overall harm to the landscape would be moderate rather than significant. Nevertheless, the conflict I have identified with development plan policies in relation to this matter leads me to conclude that the appeal proposal, despite its accordance with various other CLP and DPD policies (and parts of others), conflicts with the development plan as a whole.
20. However, the proposed development would provide various benefits. This includes the generation of approximately 42 megawatts of renewable energy, estimated to offset more than 15,693 tonnes of CO2 emissions per year and meet the electrical needs of over 11,655 homes.
21. The proposal would therefore reduce the UK's dependence on fossil fuels and support the decarbonisation of the electricity network and the move towards a low carbon future. Consistent with the Framework's provisions on planning for climate change, this is critical to meeting commitments on renewable energy and carbon emissions, and the need to achieve net zero.
22. As agreed by the main parties, the proposed development would also make a valuable contribution towards addressing climate change and meeting national and local renewable energy targets. This includes, for example, the national target of delivering 45-47 gigawatts of solar power by 2030 and Cornwall's target of 100% renewable electricity supply by the same date.
23. The submitted evidence indicates that significant deployment at an accelerated pace is required to meet these. The provision of other schemes already providing sources of renewable energy in the county does not change this, particularly given the available evidence identifies that less than half of Cornwall's electricity is currently provided by such sources.
24. By increasing domestic energy supply and thus contributing towards UK energy security, the appeal proposal would also provide resilience in times of high (and ever-increasing) demand and, over time, assist to stabilise energy prices. In addition, the proposed development would provide additional employment; deliver significant biodiversity net gain; and support farm diversification (without using best and most versatile agricultural land), whilst also allowing the site to continue being used for agricultural purposes, such as sheep grazing.
25. These environmental, social and economic benefits are extensive and attract significant weight. With a secured grid connection available from June 2026, they could also be delivered quickly. Accordingly, I judge that the scheme's benefits would be substantial and are sufficient to outweigh the moderate landscape harm.

Despite the harm I have identified, I therefore find that the local environmental impact of the proposal is also acceptable in this instance.

Conditions

26. I have had regard to the various suggested planning conditions and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents, for clarity and consistency, and to ensure that details are submitted for the Council's approval where relevant.
27. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition setting out the time limit for the operational period of the solar farm and its subsequent decommissioning and restoration is necessary in the interests of agriculture, landscape character and archaeology.
28. Given the site's position and the extent of development, pre-commencement conditions 4 and 5 are necessary and reasonable in the interests of the biodiversity, landscape, the environment and the living conditions of residents. Pre-commencement conditions 6 and 7 are necessary given the site's archaeological sensitivity and significance. Pre-commencement condition 8 is necessary in the interests of flooding and controlling surface water pollution.
29. Conditions 9, 10 and 11 are necessary in the interests of, respectively, the landscape, biodiversity and the safe and efficient operation of the highway. In the interests of the living conditions of residents, and having regard to the Planning Committee's discussions, I have also added reference to the provision of any external lighting within condition 9.

Conclusion

30. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the appeal proposal's benefits outweigh the harm that would arise, the conflict with development plan policies and the Framework. Consequently, material considerations indicate that the proposed development should be permitted notwithstanding the conflict with the development plan as a whole.
31. For the above reasons, the appeal is therefore allowed.

T Gethin

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 approved plans: Site Location Plan (Drawing No WIN-SOL-04-DROPT-04-01, Rev 10); Amended Site Layout Plan (Drawing No WIN-SOL-04-DR-03-04-01, Rev 19); Typical Panel Design (Drawing No P21-2621.400); Typical Inverter Specifications (Drawing No P21-2621.401); Typical Transformer (Drawing No P21-2621.402, Rev A); Typical Transformer Sections A (Drawing No P21-2621.403); Typical Transformer Sections B (Drawing No P21-2621.404); Typical Customer Substation (Drawing No P21-2621.405); Typical Step-Up Transformer (Drawing No P21-2621.406, Rev A); Typical Distribution Substation (Drawing No P21-2621.407); Typical CCTV Detail (Drawing No P21-2621.408); Typical Fence Detail (Drawing No P21-2621.409); Typical Paladin Mesh Fencing (Drawing No P21-2621.410); Typical Spare Parts Store (Drawing No P21-2621.411); Site Access (Drawing No P21-2695.300, Rev A); and Amended Scheme Landscape & Ecological Masterplan (Drawing No P24-2210_EN_20).
- 3) The development hereby permitted is for a period of no more than 40 years electricity generation, after which electricity generation shall cease, the solar panels and all ancillary infrastructure shall be removed from the site and the land restored to its former (agricultural) condition.

At least 12 months prior to the cessation of the generation of electricity from the proposed development, a Decommissioning Method Statement (including traffic management and noise/dust/odour control/archaeology) shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include the timing for decommissioning of all, or part of, the solar farm if it ceases to be operational, along with the required measures and a timetable for its completion. The subsequent decommissioning of the site shall be carried out in accordance with the agreed details within 6 months of the expiry of this permission or within 6 months of the permanent cessation of the production of electricity (whichever is sooner). The applicant shall advise the Local Planning Authority, in writing, and with no less than one week's notice, of the cessation of electricity production and the intended date for commencement of decommissioning works under the terms of this permission.
- 4) Prior to the commencement of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
 - a) Description and evaluation of the features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions, including the following:
 - i. The mitigation, enhancement and residual effects, set out in section 7.7 of the Environmental Statement.
 - ii. New habitat enhancement, including Culm grassland, rush pasture enhancement and wildflower grassland planting.
 - iii. Pre-construction surveys for protected species (including badgers) to inform additional avoidance or mitigation requirements during the construction phase.

- iv. The appointment of a project ecologist.
- v. The provision of wildlife habitats, for example bat and bird boxes, insect hotels, hibernacula and refugia.
- f) Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period.
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) How contingencies and/or remedial actions will be identified, agreed and implemented so that, where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- j) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The development shall be undertaken in accordance with the details and timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

- 5) Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- The location and appearance of any site compound/material storage areas, including heights of any cabins to be sited and details of any external lighting.
- Measures to control the emission of smoke, dust and dirt during the construction/installation of the development.
- Measures for the storage/recycling/disposal of waste resulting from the construction works.
- Any hoarding to be erected/security fencing.
- Details of measures to mitigate adverse impacts upon nearby residences.
- An archaeological mitigation strategy during construction in the areas of high archaeological significance, as identified by the results of the archaeological evaluation.

The approved CEMP shall be adhered to throughout the construction period.

- 6) Prior to the commencement of the development hereby permitted, an archaeological mitigation strategy in the areas of high archaeological significance (as identified by the results of the submitted archaeological evaluation) shall be submitted to and approved in writing by the Local Planning Authority.
- 7) Part A) No development approved by this permission shall commence until a programme of archaeological recording work including a Written Scheme of Investigation (WSI) for an Archaeological Watching Brief during groundworks across the application site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions, and:
- 1. The programme and methodology of site investigation and recording
 - 2. The programme for post investigation assessment
 - 3. Provision to be made for analysis of the site investigation and recording

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

Part B) No development shall take place other than in accordance with the WSI approved under part A.

Part C) The development shall not become operational until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under part A and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Part D) The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

- 8) Part A) No development approved by this permission shall commence until details of further ground investigations have been submitted to and approved in writing by the Local Planning Authority. Such investigations should establish the infiltration rates and peak groundwater levels, targeted to the locations where surface water drainage features are to be positioned, and inform the surface water drainage design and construction techniques.

Part B) No development approved by this permission shall commence until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) The final drainage schemes including calculations, layout and bespoke surface water drainage solutions which fully manage the 1 in 100-year peak rainfall event plus a minimum allowance of 50% for the impacts of climate change.
- b) Demonstrate that flow rates discharged from the site are no greater than the greenfield rate under all rainfall events up to the 1 in 100-year peak rainfall event.
- c) A Construction Surface Water Management Plan.
- d) A Construction Quality Control Procedure.
- e) A plan indicating the provisions for exceedance pathways and overland flow routes.
- f) A timetable of construction which includes a plan of the phasing of development and the implementation of drainage systems.
- g) A maintenance manual containing a plan and schedule for the future maintenance and management of the drainage systems and any overland flow routes.

Thereafter, the approved scheme shall be implemented in accordance with the details and timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

- 9) Prior to their installation, details of the final layout, dimensions, design, materials and colour (where appropriate) of the solar panel arrays, cable trenching, transformers, substation, security fencing, any external lighting, CCTV and other associated works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such for the lifetime of the use.

- 10) The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Management Plan (Amended Scheme) (by Avian Ecology, dated 13 February 2025) and the submitted Natural England Biodiversity Metric 4.0 (completed 31 January 2025). Monitoring reports, demonstrating how the scheme is progressing towards achieving its objectives and including evidence of arrangements and any rectifying measures needed, shall be submitted to the local planning authority during Years 2, 5, 10, 20 and 30 from commencement of development (unless otherwise stated in the Biodiversity Management Plan).
- 11) The development hereby permitted shall be carried out in accordance with the submitted Construction Traffic Management Plan (dated 27 March 2023) during the construction and operational phases of the development.

END OF SCHEDULE