



Appeal Decision

Site visit made on 8 September 2020

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2020

Appeal Ref: APP/Q1153/W/20/3250638

Land at 263105/095777 Near Apple Cottage, EX20 1SG

- 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 & Mrs Jones against the decision of West Devon Borough Council.
 - The application Ref 4058/19/FUL, dated 13 December 2019, was refused by notice dated 20 March 2020.
 - The development proposed is erection of two stables, one hay store, one tack room/feed room, double field shelter. Creation of hardstanding, erection of gates and post and rail fencing.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two stables, one hay store, one tack room/feed room, double field shelter. Creation of hardstanding, erection of gates and post and rail fencing at Land at 263105/095777 Near Apple Cottage, EX20 1SG in accordance with the terms of the application, Ref 4058/19/FUL, dated 13 December 2019, 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: Proposed Floor Plans; Proposed Site Plan & Elevations; Site Location Plan.

Main Issue

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

Reasons

3. The area is characterised by a rolling landscape. Although there are some clusters of buildings, the area is generally undeveloped and open. The stables would be located at the high point of a field within this landscape. However, they would be against a strong roadside boundary hedge that would largely screen them from close-range public views. I appreciate that, given the hilltop location, they may be visible in longer range views from some locations but against the backdrop of the hedge, the muted colour of the treated timber cladding, detailed on the application form, would make them unobtrusive. As such, they would not harm landscape character.

4. Policy TTV26 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (LP) sets out principles for development in the countryside. The Council's officer report confirms that the development should not be considered isolated and so the first part of the policy which seeks to avoid such development does not apply.
5. Although criterion (iv) under the second part of Policy TTV26 requires that proposals should respond to an agricultural, forestry, or other occupational need, the Policy does not specifically prevent equestrian development and the criterion should only be applied where appropriate. Moreover, the supporting text at LP Paragraph 5.168 indicates that the Policy should be read alongside other policies of the plan and Policy TTV28 specifically supports horse related developments.
6. While there may be no clear need to site the stables away from other buildings, Policy TTV28 is supportive of new buildings where they are well related to existing ones. The appellant has provided photographic evidence of a previous building at the site, the existence of which has not been disputed by the Council following a specific request for clarification. The size would be commensurate with the number of horses to be kept on the land.
7. Policy TTV28 also requires a comprehensive scheme of management for any ancillary development. I have no reason to dispute appellant's position that further ancillary development such as manures and access roads are not required in this case, or that unobtrusive electric fencing would be used to manage paddock rotation. I, therefore, find that there would be no conflict with LP Policies TTV26 or TTV28.
8. With regard to the foregoing, I find that the proposals would respect the distinctive sense of place surrounding the site, be appropriate to their landscape context, conserve existing site features and views of the area without the need for further mitigation. As such, the proposal would comply with LP Policy DEV23, which sets out these requirements.
9. I, therefore, conclude that the appeal should be allowed. A plans condition is required in the interests of certainty.

M Bale

INSPECTOR