
Appeal Decision

Site visit made on 16 August 2021

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2021

Appeal Ref: APP/X2220/W/21/3268383

Land west of Long Lane Cottage, Long Lane, Shepherdswell CT15 7LX

- 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 Chris Sage against the decision of Dover District Council.
 - The application Ref 20/00791, dated 21 July 2020, was refused by notice dated 23 October 2020.
 - The development proposed is described as the "*erection of a farm building for equestrian use*".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework ('the Framework') has been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the Framework in reaching my decision.
3. At the time of my visit a caravan was in situ at the northern part of the appeal site albeit I have not been provided any details pertaining to the lawfulness of that caravan and its enclosing fence. Given there is no substantive evidence before me that would indicate that development to be there with the benefit of planning permission, I must consider the proposal before me without that development having taken place.

Main Issue

4. The main issue raised in respect of this appeal is the effect of the proposed development on the character and appearance of the countryside.

Reasons

5. To the northeast is Long Lane Cottage and to the northwest are some farm related buildings. Equestrian use at land north of the appeal site has been established. I have been provided with the decision notice and plans relating to planning permission ref 18/01360 that granted planning permission for the equestrian development north of this appeal site. Otherwise, the site is surrounded by open fields and paddocks.

6. The existing equestrian development at the site relates to land situated between Long Lane Cottage and the farm buildings. The land south of the existing equestrian complex is open and undeveloped grass land. Despite being a low-rise single storey structure, the barn would be of substantial size. The built form of the barn with associated hardsurfacing would significantly change the character and appearance of this grass land site and would be a visually harmful projection of built development into the existing open countryside landscape. Given the openness of the rural landscape, the visual harm arising from the proposed development would be clearly and prominently evident within this rural landscape and in public views from nearby highways and the public right of way east of the appeal site.
7. I accept that the site is within the appellant's ownership and may be under-utilised land that could be put to more effective use. However, this does not justify a development that would be visually harmful. Whilst the building may be designed to reflect those existing equestrian buildings north of the site, given its size and utilitarian form, I cannot agree with the appellant that such a structure would integrate functionally or visually with the surrounding open countryside landscape.
8. An indoor arena would allow training of horses throughout the year as this activity would not be affected by weather and it would provide a quiet and relaxed atmosphere for horses. This would assist maintaining the regular fitness of the horses so as shows can be attended all year round. The facility would assist with the training of young horses and would reduce the need for travel to training shows as the barn would provide suitable training facilities. As such, I acknowledge that this facility would support the health and welfare of the sport horses. Furthermore, the proposal would facilitate indoor storage for horse lorries, associated machinery and hay/straw that is bought in bulk and needs to be kept in dry storage. Whilst these are all benefits of the scheme for the appellant, these benefits do not overcome or outweigh my concerns relating to the proposal's visual harm to the countryside, nor would these matters justify the proposed development.
9. The appellant has indicated a preference for machinery, horse boxes, and so on, to be locked inside a building as there has been a previous break-in at the existing site. Whilst this would be a security benefit of the proposed scheme and again a benefit for the appellant, this does not outweigh my concerns relating to visual harm or justify the proposed development.
10. I have been directed to two developments that have been granted planning permission said to be similar developments in the area. From the plans provided the proposed barn garage and storage shed at Ash Road Nursery related to a development between existing residential development. The proposal at Eastwood Manor related to an outline application for the erection of two detached dwellings. From the drawings provided both these examples appear to relate to land that is closely related to urban settlements rather than development within the open countryside, which is the case of the proposal before me. Furthermore, neither related to equestrian development. I, therefore, consider the circumstances and considerations relating to those cases are quite different to that of the proposal before me and, as such, those examples hold little weight in support of this proposal.

11. I acknowledge that Shepherdsweil Parish Council and other technical advisers raised no objection to the proposal and that there is some third-party support of the proposal. Whilst this may be so, the proposal needs to be considered in terms of the wider public interest.
12. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the countryside. The proposal would, therefore, conflict with Policies DM15 and DM16 of the Dover District Core Strategy and Saved Policy DD21 of the Dover District Local Plan. These policies seek, amongst other matters, the protection of the countryside and to resist development, including equestrian activities, that would adversely affect the character and appearance of the countryside.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR