



Appeal Decision

Site Visit made on 29 October 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th November 2021

Appeal Ref: APP/J9497/W/21/3279258

Land at Bude Lane, Sticklepath EX20 2JL

- 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 D Woodward against the decision of Dartmoor National Park Authority.
 - The application Ref 0577/20, dated 18 November 2020, was refused by notice dated 25 January 2021.
 - The development proposed is Erection of stables with new boundary screen bank and hedging (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for Erection of stables with new boundary screen bank and hedging at Land at Bude Lane, Sticklepath EX20 2JL in accordance with the terms of the application, Ref 0577/20, dated 18 November 2020, and the plans numbered Exe/1, Exe/2 and the Location Plan, subject to the following conditions:
 - 1) The stables hereby permitted shall only be used for private equestrian purposes reasonably necessary on the holding to which they relate and shall not be used for livery, riding lessons, commercial equine breeding or commercial equestrian use of any kind. Upon the stables becoming redundant for such purposes, they shall be removed, and the land reinstated to its former condition within a period of six months.
 - 2) At no times shall any external lighting be installed or used in association with the development hereby approved, unless otherwise agreed in writing by the local planning authority.

Preliminary Matters

2. At the time of my site visit, I saw that the development had been constructed and was in use. I have dealt with the appeal on this basis, albeit omitting 'retrospective' from the description of development because such words do not describe acts of development.
3. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.
4. As the appeal proposal is located within Dartmoor National Park, I have had regard to my duties under Part II, section 11A of the National Parks and Access to the Countryside Act 1949 (as amended), which requires relevant authorities

– in exercising any functions in relation to, or so as to affect, land in a National Park – to have regard to the purposes for which National Parks are designated. Amongst other aspects, this includes conserving and enhancing natural beauty, wildlife and cultural heritage. In addition, the Framework sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The level of protection is also emphasised by the English National Parks and Broads UK Government Vision and Circular 2010 (Circular) which, for example, refers to the Sandford Principle and sets out that the designation confers the highest status of protection.

Main Issue

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

Reasons

6. The appeal site forms part of a grass field which was grazed by horses at the time of my site visit. The surrounding area is pastoral in nature, with fields predominating, but includes some scattered, relatively isolated development. This includes the structures to the east – which I observed on my site visit are accessed off Bude Lane – and some development to the south-west, both of which are visible from the site. Although close to the A30 and not on exposed moorland, the site is nevertheless within the National Park.
7. As defined by the Authority's Landscape Character Assessment, the site is within the Landscape Character Type 5A of Dartmoor National Park, Inland Elevated Undulating Land. This identifies the valued attributes of the area as including: the intricate patchwork landscape; gently rolling topography; bands of woodland and patches of grasslands; strong medieval field patterns; the pastoral character with patches of rough grazing serving as a reminder of the moorland's proximity; and scattered settlements and farmsteads – with associated orchards – linked by narrow lanes.
8. Although the appeal proposal is not particularly apparent in longer distance views, it is visible through the gateway from the adjoining publicly accessible green lane, known as Bude Lane. However, the modest sized stables do not appear as dominating or intrusive features and their timber finish is sufficiently sensitive and appropriate to the pastoral locale. It seems to me that such buildings, used for stabling horses and sometimes relatively isolated, are not unexpected or particularly uncommon features in the countryside. The existing hedges on the field boundaries and the new banks with soft landscaping also reduce the presence and visibility of the stables and area of hardstanding, and help them assimilate with their verdant surroundings.
9. Given their position and limited scale, the stables do not significantly extend out into the field or erode its open, pastoral, rolling character. Combined with the development not disrupting or changing the field's boundaries, neither does the appeal proposal affect the historic field pattern. Situated in a corner of the field, with existing and new soft landscaping on all sides, the stables also relate well to their corner position surrounded by hedges. Furthermore, the relatively secluded stables do not appear incongruous in relation to the dispersed building pattern in the surrounding area. The proposed development does not therefore detract from or adversely affect the valued attributes of the landscape character type. It thus conserves the National Park's natural beauty.

10. I recognise that the guidance for equestrian development in the Authority's Supplementary Planning Document (SPD), Dartmoor National Park Design Guide (2011), states that new buildings should generally be sited within, or adjacent to, existing buildings. However, the inclusion of the word 'generally' caveats this and introduces flexibility. Rather than providing rigid requirements that all development must meet, the SPD also indicates that it is intended to provide informal advice and guidance. In addition, I have found that the stables neither appear as unexpected, intrusive nor incongruous features in the locality. The appeal proposal also conforms with other parts of the SPD's relevant design guidance for equestrian development, including for example avoiding exposed skyline locations and sub-dividing fields, retaining existing vegetation, using new planting to integrate buildings with their surroundings and incorporating materials that blend with the surrounding landscape.
11. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area. I therefore find that it accords with Policies COR1, COR3, COR4, DMD1b, DMD5 and DMD33 of the Dartmoor National Park Development Plan¹. Amongst other aspects, these: seek to ensure that various considerations are taken into account so that development is undertaken in a sustainable manner; set out the Authority's approach to delivering National Park purposes, that development will only be provided for where it does not detract from the National Park's special qualities, and that horse related development will be permitted if it meets certain criteria including new buildings being well-related to their surroundings and reflecting the Authority's Design Guide; and require development to be of an appropriate scale and layout, respect the attributes of landscape character types, and conserve and/or enhance the characteristic landscape, features and special qualities of Dartmoor. The proposal would also be consistent with the Circular and the provisions in the Framework in relation to conserving and enhancing the natural environment.

Other matters

12. My attention has been drawn to the condition of Bude Lane, which is said to be deteriorating, unstable, and in need of maintaining and/or tarmacking and widening at its entrance. It has also been put to me that: the construction of the stables has coincided with flooding incidences of a nearby property; vehicles using Bude Lane and serving the site are damaging the lane's surface, drains and nearby banks/hedges, and causing drains to become blocked and debris to run off on to Willey Lane; that this could result in a serious incident; and Devon Highways agree that Willey Lane has become a hazard.
13. However, whilst I take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal has resulted in unacceptable effects in relation to any of these matters. The Authority has also not raised concerns with regards to the effect of the proposed development on flood risk or highway safety, nor suggested any conditions are necessary in relation to these matters, and the County EEC Directorate identified no highway implications with the appeal proposal. Furthermore, I observed on my site visit that Bude Lane includes several access points in addition to the appeal site, which is itself situated quite a distance from where the green lane meets Willey Lane. Consequently, the

¹ Which consists of the Local Development Framework Core Strategy Development Plan Document 2006-2026 (2008) and the Development Management and Delivery Development Plan Document (2013).

matters brought to my attention do not lead me to a different overall conclusion that the appeal should be allowed.

Conclusion and Conditions

14. For the above reasons, the appeal is allowed.
15. As the development has already been completed, the standard time limit and plans conditions are not necessary. However, for clarity, I have referred to the relevant plans in my decision. A condition relating to the use of the stables is necessary to ensure that any alternative, such as a commercial use, can be considered by the Authority and that the stables are removed if they are no longer needed. In the interests of the visual amenity of the area and wildlife, it is also necessary to impose a condition restricting the installation and use of external lighting at the site.

T Gethin

INSPECTOR