
Appeal Decision

Site visit made on 24 January 2022

by John Wilde CEng MICE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1st February 2022

Appeal Ref: APP/J9497/D/21/3287028

**Yelfords Cottage, Road from Southill Cross to Yeo Cross, Chagford
TQ13 8ES**

- 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 Michael Caine against the decision of Dartmoor National Park Authority.
 - The application Ref 0454/21, dated 31 July 2021, was refused by notice dated 4 October 2021.
 - The development proposed is excavation of land to form a driveway for Yelfords Cottage, creation of bank (both existing) and filling excavated driveway with scalplings.
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Decision

1. The appeal is allowed and planning permission is granted for excavation of land to form a driveway for Yelfords Cottage, creation of bank and filling excavated driveway with scalplings at Yelfords Cottage, Chagford TQ13 8ES in accordance with the terms of the application, Ref 0454/21, dated 31 July 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: YT1 (location plan), YT2 (block plan), YT3 (existing and proposed access routes), YT4 (proposed track), YT5 (new track bank and hedge).

Main Issue

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

Reasons

3. The appeal property, Yelfords Cottage, lies above a minor road and is approached at present by a lengthy surfaced driveway. The proposal would result in a second access track running nearly parallel with the existing surfaced driveway on the far side of an area of pastureland. Some work, including excavation and hedge planting, had been undertaken at the time of my visit.
4. The site lies within the Dartmoor National Park and paragraph 176 of the National Planning Policy Framework makes clear that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks, as well as to the conservation and enhancement of wildlife in such areas.

5. The area is extremely rural and is located within a landscape area classified as Moorland Edge Slope. The immediate area consists of undulating fields interspersed with hedges and hedgebanks. The South Teign River flows north to south to the west of the appeal site and from there the land rises to a peak further to the west.
6. The proposed track would be made up of scalplings in the wheel tracks with grass down the middle. It would not therefore appear as a surfaced urban intrusion but more as a farm access track, which is not an uncommon feature of the area. In time the scalplings would become less noticeable than when first put down. Importantly, the surface of the track would not be visible from the road or any other public viewpoints in a wider area due to the existing and new hedgebanks and the topography of the area. It would therefore have a neutral effect in terms of its appearance.
7. On the negative side the proposed development would result in the net loss of about 400sqm of pastureland. However, a new hedgebank has already been planted along one side of the new access, and this will increase connectivity and foraging opportunities for bats and deliver increased wildlife value for birds and dormice. There would also be an introduction of plant species not currently present on the site.
8. I acknowledge the Council's concern that the central field could be taken out of agricultural use as a result of the proposed access track but I have no significant evidence to show that it is actually used for agriculture at present.
9. Overall, in this particular case, I consider that the minor detrimental impact to the character of the area would be outweighed by the significant ecological benefits. This would therefore negate any conflict with policies COR1 and COR3 of the Dartmoor National Park Authority Local Development Framework Core Strategy Development Plan Document, and with policies DMD1 b and DMD5 of the Development Management and Delivery development Plan Document. All of these policies seek to ensure, amongst other things, that development sustains and conserves the characteristic landscapes that contribute to Dartmoor's special environmental qualities.

Conditions

10. The development has already begun such that the standard time limit condition is not necessary. However, as works are not complete I have imposed the standard approved plans condition.

Conclusion

11. For the above reasons, and having taken into account all other matters raised, I conclude that the appeal should be allowed.

John Wilde

INSPECTOR