



Appeal Decision

Site visit made on 17 June 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 07 July 2022

Appeal Ref: APP/P1133/W/22/3292822

Rydon Farm, The Granary, Road to Rydon Farm, Trusham TQ13 0LZ

- 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 T Duncan against the decision of Teignbridge District Council.
 - The application Ref 21/02351/FUL, dated 14 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is the construction of a manege / sand school for private equestrian use and adjoining storage building for secure storage of equipment.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a manege / sand school for private equestrian use and adjoining storage building for secure storage of equipment at Rydon Farm, The Granary, Road to Rydon Farm, Trusham TQ13 0LZ in accordance with the terms of the application, Ref 21/02351/FUL, dated 14 October 2021, subject to the conditions set out in the Schedule to this decision.

Applications for Costs

2. An application for costs has been made by Mr & Mrs T Duncan against Teignbridge District Council. This is the subject of a separate decision.

Preliminary Matters

3. Several versions of the plans and drawings have been submitted with the appeal application. I have determined this appeal on the latest versions of these plans, which are set out in the appellant's appeal statement. Given that these are substantively similar to earlier versions and the Council has had the opportunity to comment, I am satisfied that this approach will not prejudice the main parties.

Main Issues

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

Reasons

5. The appeal site comprises a parcel of grassland to the south-east of Rydon Farm, which sits within a parcel of rolling countryside. Owing to the scenic beauty of the surrounding rural landscape, the area is classified as an Area of Great Landscape Value (AGLV). Notwithstanding the rural character of the surrounding landscape, much of the neighbouring land is used for equestrian

purposes. This is evidenced by the prevalence of stables and paddocks in and around Rydon Farm, as well as the existing sand school within a neighbouring field to the west of the appeal site. Such equestrian use is reflective of the wider countryside setting, and sits comfortably alongside the sweeping and open landscape which surrounds the appeal site.

6. The proposed development would include a 40m x 20m sand school for private equestrian use. Given this element of the development would be low-level, it would appear relatively unobtrusive, as the openness of the land would be retained. The post and rail fence around the perimeter of the sand school would broadly reflect boundary fencing used in and around the appeal site, and would therefore integrate effectively. Whilst the development would also include a timber building to the south-western corner of the site, this would only be a modest structure, and would be no more prominent or disruptive than similar field shelters within nearby fields.
7. Notwithstanding the above, the sand school would largely be screened from public view by the proposed hedgerow planting in and around the appeal site, which can be secured by condition. The proposed changes to ground levels (at the southern end of the appeal site) would further limit visibility of the development. Even accounting for the site's elevated position, these factors mean the sand school would barely be perceptible from public vantage points around the site.
8. Moreover, given the development would reflect the equestrian use of many of the nearby fields and buildings, it would appear in-keeping, both visually and functionally, with the prevailing character of its surroundings. Even where there would be glimpsed views of the development, I am therefore satisfied that it would assimilate properly with the rural character of the wider landscape, without appearing incongruous, nor detracting from its wider setting.
9. For these reasons, and notwithstanding the area's designation as an AGLV, I am satisfied that the development would not harm the character and appearance of the area. It would be consistent with Policies S1, S1A, S2 and EN2A of the Teignbridge Local Plan (2013 – 2033) (Local Plan), which together require new development to conserve the character and distinctiveness of surrounding landscape, through appropriate and effective design. The development would also be accord with Policy S22 of the Local Plan, which supports equine development within the countryside, subject to preserving the character of surrounding landscape. Finally, the development would be consistent with the National Planning Policy Framework (2021) (Framework) and Planning Practice Guidance (PPG), both of which place great emphasis on protecting the scenic beauty of the countryside.

Other Matters

10. The appeal site is located near to Rydon Farmhouse, which is a Grade II listed building. In line my statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving this building and its setting. In this instance, given the degree of separation between Rydon Farmhouse and the appeal site, together with the intervening hedgerows and boundary treatments, I am satisfied that any impact of the development on this building and its setting would be negligible.

Conditions

11. Taking account of the consultation responses received in connection with the appeal application, as well as guidance in the Framework and PPG, I have included a number of conditions which I consider necessary to procure the acceptability of the proposed development.
12. I have included a plans condition to ensure certainty over the development consented. The landscaping scheme has also been secured by condition, given its importance to the screening of the site.
13. Whilst no external lighting is proposed at this stage, in case this were to change in future, I have included a condition requiring lighting details to be approved before any installation. This is to ensure adequate ongoing protection of Greater Horseshoe Bats in the surrounding area.
14. Whilst I am satisfied that the drainage details shown on the approved plans are sufficient for a development of this nature, I have included a condition to secure proper implementation of these works.
15. Finally, to ensure the intensity of use is sufficiently regulated, I have included a condition which precludes the possibility of any business or commercial use from within the site.

Conclusion

16. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be allowed.

James Blackwell

INSPECTOR

SCHEDULE OF 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 drawings: Location Plan; Site Plan v3; Drainage and Landscaping Plan v3; Proposed Storage Building (Elevation Floor and Roof Plans and Cross Section); and Topographical Survey (NPS DR G S_T_483 P2).
- 3) Prior to any external lighting being installed, details shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) All planting, seeding or turfing comprised in the landscaping scheme (shown on Drainage and Landscaping Plan v3) shall be carried out in the first planting and seeding seasons following the first use of the development or completion of the development, whichever is the sooner, and any trees, hedgerows or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) The development hereby approved shall not be brought into use until the drainage works (shown on Drainage and Landscaping Plan v3) have been completed in accordance with the approved drawing. The drainage works shall be retained thereafter.
- 6) The development hereby approved shall not be used for any business use nor for any other commercial purpose at any time.

End of Schedule