



Appeal Decision

Site visit made on 28 June 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 15th July 2022

Appeal Ref: APP/M9496/W/21/3286479

Grid reference - SK05975869, Road to Upper Elkstone, SK17 0LU

- 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 Miss Amber Tunnicliffe against the decision of Peak District National Park Authority.
 - The application Ref NP/SM/0621/0611, dated 2 June 2021, was refused by notice dated 1 October 2021.
 - The development proposed is a riding arena.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Peak District National Park.

Reasons

3. The appeal site forms part of a field within the open countryside and lies within the Peak District National Park boundary. It slopes down from the nearest highway and forms part of a wider landscape of upland enclosed pasture formed by drystone walls, with some isolated stone farmsteads and a mixture of hedgerow and trees along the field boundaries.
4. Paragraph 176 of the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
5. The proposed horse exercising area (HEA) would be sited adjacent to a small timber stable building which sits at the bottom of the valley to the southwestern end of the site. However, it is unclear from the submitted layout plan and cross sections whether the construction of the HEA would involve any excavation to provide a level surface. Although these plans attempt to indicate the proposed sections, they do not provide any measurements to clearly depict the existing levels or any proposed differences in levels across the site.
6. Whilst I note that the appellant considers this area to be reasonably level enough to ride and jump on, I therefore cannot be certain that some excavation would not be required to take place. Furthermore, the appellant's supporting statement sets out that the proposal would have a hard-core base with perforated pipes for drainage, topped with geo-textile membrane and silica sand.

7. The size, rectangular shape and stark appearance of this exposed hard surfaced area, along with any potential change in landform would sharply contrast with and erode the undeveloped verdant character of the site and the surroundings. This would be a significant incursion into the green and pastoral character of the field and there would be lasting harm to the landscape. It would consequently result in a visual encroachment into open countryside.
8. Despite the presence of the vegetation along its boundaries, the discordant effect of the proposal would be readily apparent from a number of vantage points within the landscape, including from Furlong Farm and views from the adjacent highway. I note the appellant's willingness to agree to other more suitable materials. However, I do not have the details of any alternatives before me so I am unable to be certain that they would overcome the harm to the landscape that I have identified above, to which I must attach great weight.
9. On the basis of the evidence before me, I therefore find that the proposed development would have a harmful effect on the character and appearance of the Peak District National Park. As such it would conflict with Policies GSP1, GSP3 and L1 of the Peak District National Park Core Strategy Development Plan Document 2011 and Policies DMC3 and DMR4 of the Local Plan for the Peak District National Park 2019. Amongst other matters, these seek development that secures the National Park purposes and is sustainable and conserves and enhances valued landscape character, by changing the landform, and other valued characteristics. It would also not accord with Paragraph 176 of the Framework and fail to conserve and enhance natural beauty, wildlife and cultural heritage which form one of the statutory purposes of the National Park.

Other Matters

10. It has been put forward that the proposal would be for the sole use of the appellant, who, having lived in the local area all of her life states that she has a strong connection to it. The Authority has not disputed that the site has been used for the keeping of the appellant's horse for over 10 years. Furthermore, it has been put to me that fencing and lighting would not be required and that the size of the HEA would be much smaller than an averaged sized arena. I also have no reason to question that the area of the field that is currently used to exercise the horse becomes muddy and boggy during inclement weather. However, the proposed development needs to be carried out in a manner which does not detract from the landscape, and I have found that this would not be achieved by the proposed HEA.
11. These factors, along with the appellant's concerns about the useability of bridleways, the welfare of her horse, and the lack of harm to wildlife and the living conditions of the residents of neighbouring properties do therefore not outweigh the harm to the character and appearance of the National Park that I have identified above.

Conclusion

12. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should therefore be dismissed.

Mark Caine INSPECTOR