



Appeal Decision

Site visit made on 18 July 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2023

Appeal Ref: APP/J9497/W/22/3312994

Land at Holditch Farm, Off A386, Mary Tavy, Devon PL19 9QD

- 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 Nick Taylor against the decision of Dartmoor National Park Authority.
 - The application Ref 0139/22, dated 17 March 2022, was refused by notice dated 7 July 2022.
 - The development proposed is "erection of equine field shelter and tack room (retrospective). Currently a mobile field shelter is present. This is to be extended to include a tack room & permanently located on hardcore".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address from the submitted appeal form as this appears to more accurately reflect the appeal site address.
3. The banner heading above contains the original description of the development as set out on the application form. During my site visit I noticed that a field shelter occupied the appeal site. I cannot be certain that the development has been constructed in accordance with the plans. Accordingly, and notwithstanding the reference to 'retrospective' in the description of development, I have considered the proposal presented upon the plans that are the subject of the appeal and not in regard to what I observed at my site visit.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to its effect on Dartmoor National Park.

Reasons

5. The site relates to part of a field within Dartmoor National Park to the north east of Mary Tavy. The immediate area is characterised by rolling farmland comprising small to medium scale fields enclosed by Devon hedge banks. The Landscape Character Assessment for Dartmoor lists valued attributes for this landscape, which includes a strong pattern of medieval fields and pastoral character of fields contrasting with heathy moorland.
6. The site contributes to the rural character and reflects the undulating pastoral farmland and field pattern. The verdant undeveloped appearance of the field within which the appeal site lies is a positive feature of the local landscape, its

overall character, and contributes to its marked natural beauty and largely unspoilt rural appearance.

7. 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.
8. I note the appellant's contention that the DNP Design Guide provides guidance that developments be sited within, or adjacent to, existing buildings. Whilst neither the appellant nor the Authority has provided a copy of the Design Guide, proposals for equestrian development are required to be considered in the context of Policy P5.10 of the Dartmoor Local Plan 2018-2036 (the DLP). The policy requires, amongst other things, that new buildings and structures are not isolated but are clustered with existing building groups and enclosed with an appropriate boundary. In addition, this policy, together with Policies SP1.1, SP1.2, SP1.5, SP2.1 and SP2.6 of the DLP require development to conserve and/or enhance the National Park's landscape character, wildlife and cultural heritage, conserve and/or enhance tranquillity and create a strong sense of place.
9. Within this context, the appeal site occupies a position to the south west of Holditch Farm. Whilst the proposed building would be close to the boundary hedge and field gateway, there would be an expanse of undeveloped field and hedgerows between it and buildings at Holditch Farm and other buildings further to the north. It would not be well related to any existing buildings. Thus, it would be in an isolated location rather than clustered with an existing building group.
10. Due to its position set close to the hedge, the established hedgerows along the boundaries of the field and the local topography, the appeal scheme would not be prominent nor highly visible from wider areas. However, public views of the proposed development would be available through the field gateway when stood on the public right of way to the north. With seasonal leaf fall and periodic hedge management, the development would be more noticeable.
11. In any case, the appeal scheme, including the corral area, building and area laid with 'mud control slabs' would be a perceptible feature that would not reflect the building pattern in the local landscape. It would appear as unduly intruding into the undeveloped landscape and interrupting the pattern of the relic field system.
12. Whilst the building may be designed and constructed from materials in accordance with the DNP Design Guide, the context of the appeal site represents a sensitive undeveloped area of the landscape, away from other buildings. It would contrast with and erode the undeveloped verdant character of the site and the surroundings. This would be a harmful incursion into the pastoral character of the field and there would be lasting harm to the scenic beauty and character of the landscape.
13. I accept the appellant would be prepared to amend the proposal, including remove the groundworks consisting of the hardcore base for the shelter and the hedge banks around the field entrance, making the footprint of the building smaller, remove the native trees that currently form a small grove to the south of the shelter and move the shelter closer to the field entrance, reducing its

distance to other buildings. However, this is not the proposal before me. Furthermore, I am mindful that these would change the substance and form of the development on which local residents and the National Park Authority would not have the chance to comment.

14. I also note that the appellant would be prepared to accept a limit on the time the development could be retained on the land. However, this would not address the harm I have identified above.
15. Consequently, on the evidence before me, I find that the proposed development would cause harm to the character and appearance of the area, including the scenic beauty and character of the landscape within Dartmoor National Park. As such, it would be contrary to Policies SP1.1, SP1.2, SP1.5, SP2.1, SP2.6 and P5.10 of the DLP. It would also conflict with the provisions in the Framework in relation to protecting and enhancing valued landscapes and it would fail to conserve and enhance the natural beauty of the area which forms one of the statutory purposes of the National Park. The proposal would also conflict with the advice in English National Parks and the Broads UK Government Vision and Circular 2010 in relation to conserving and enhancing the natural beauty of National Parks.

Other Matters

16. My attention is drawn to other developments and applications within the wider area. I have not been provided with the full details of these. Therefore, whilst the appellant has referred to these having been granted over many years I do not know if these buildings benefit from planning permission, if the policy requirement was the same, or indeed whether the justification for these were put forward and accepted. In any case, the fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable development.
17. Nevertheless, during my site visit I noticed stable buildings close to the driveway near its junction with the A386. These buildings were much closer to the built form of Mary Tavy and, as such, have a different context to the appeal scheme. I have considered this appeal proposal on its own merits. Therefore, these cases are matters to which I attach limited weight.
18. I note that features associated with the keeping of horses are commonplace in the area, it is also policy to respect the character and appearance of the countryside. Whilst the grazing capacity is sufficient for the appellant's equines, and I accept there is no intention to undertake 'horsification' of the land, the appeal scheme would be harmful for the reasons set out above.
19. Landscaping could be provided to the south, however, this would do little to ameliorate the effect of the appeal scheme from the public right of way to the north. There would be ecological benefits, including through the provision of bug hotels, bird boxes and bat boxes. However, these matters do not overcome the harm that the proposed development would cause.
20. I accept the proposal would have some environmental benefits insofar as it would enable the appellant to tidy up the site from external storage. Even so, these matters do not negate the requirement for the impact of any new development on the local landscape and rural character of the area to be

assessed, or the requirement for development to conserve and enhance the character and scenic beauty of the National Park's landscape.

Conclusion

21. For the reasons set out above, the development conflicts with the development plan, when read as a whole. It also conflicts with the Framework. Material considerations that have been identified do not indicate a decision should be taken other than in accordance with the development plan.
22. For the reasons given above I conclude that the appeal should be dismissed.

J White

INSPECTOR