



Appeal Decision

Site visit made on 21 May 2024 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2024

Appeal Ref: APP/J9497/W/23/3334847

Land At Iron Mine Lane, Dousland, Yelverton PL20 6NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs and Mrs Evans and Wright against the decision of Dartmoor National Park Authority.
 - The application Ref is 0387/23.
 - The development proposed is change of use of land from agriculture to keeping of horses and erection of stable block.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the special qualities of Dartmoor National Park (NP).

Reasons for the Recommendation

4. The appeal site is part of a roughly rectangular field largely devoid of built development save for a small shelter close to the southern boundary. Its topography rises to the east. It is sat close to a lane, opposite a row of detached houses in the village of Dousland. An historic stone quarry has left the field with a horseshoe shaped excavation (roughly south of the middle) which faces west, within which the proposed stable would sit. There are clusters of built form to the west (houses) and agricultural development to the south. The appeal site is outside of the settlement boundary.
5. The NP was created to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and to promote opportunities for the understanding and enjoyment of its special qualities. The management of new development within the NP is done so strictly in these interests as well as in the context of its strong open and rural character which includes uninterrupted hedge/tree lined historic field patterns, distinctive landforms and landscape. The wider field shares these attributes. It consequently contributes positively to

the character and appearance of the area and, by association, the special qualities of the NP.

6. Policy 5.10 of the Dartmoor National Park Local Plan 2018-2036 (2021) (the Local Plan) sets out a number of criteria by which new equestrian development will be considered. The main point of debate for the appeal scheme being that it should, in the case of new buildings, not be isolated, clustered with existing building groups and enclosed with an appropriate boundary feature.
7. Given other built development in the immediate vicinity, I would agree with the appellant that siting the new stable block in the aforementioned mining depression would not be an isolated form of development in the true meaning of the word. It would however, notwithstanding this, be stretching it to suggest it would be part of a cluster. The shelter in the same field would be some distance away and other groups of buildings are detached by field boundaries or the adjacent lane. Put simply, and in the main, the proposed stable would be on its own and surrounded by open space. The detached and standalone nature of the building, in an otherwise undeveloped field for the most part, would therefore support the creep of buildings in the NP and undermine the aims of the development plan to contain their spread in the interests of its special qualities.
8. The excavation would provide some screening as an appropriate boundary feature, shielding it from the majority of wider views. That said, it would be noticeable as an individual feature from the lane that would be clearly unrelated to existing built development. Its siting being further alluded to by the introduction of a track, hardstanding, vehicles and associated equine paraphernalia. Further planting could be secured by conditions but once established, I would be concerned it would stand out as an alien crop of vegetation in itself, away from that established and defined at field edges and, consequently, unreflective of the traditional hedge lined field pattern.
9. With this and the above in mind, the proposals would cause harm to the character and appearance of the area and the special qualities of the NP. Accordingly, the scheme would be contrary to Strategic Policies 1.1, 1.2, 2.1 and 2.6 and Policy 5.10 of the Local Plan, the Dartmoor National Park Design Guide (2011) (DG) and the National Planning Policy Framework (2023), insofar as they seek to conserve and enhance the landscape and scenic beauty of the NP. Whilst the DG was adopted in 2011 and thus of some age, its aims as they relate to equestrian development remain relevant towards achieving the objectives of protecting the NP from the effects of harmful development.

Other Matters

10. I do not have any evidence of the merits of an existing stable block to the west of the site, under which development plan the building was assessed or whether indeed it has planning permission. In any event, I cannot see that the proposal would be sufficiently close to it such that one could reasonably say a cluster or group would result and thus, potentially, looked on favourably by the development plan. I therefore attribute its existence limited weight.
11. A condition that would restrict external lighting to particular intervals of time would be welcomed on a scheme that might be acceptable in other respects. In the interests of light pollution and tranquil skies in the NP. I do not feel however this, or the other conditions suggested, would go sufficiently far to

acceptably address the harms I have found which relate to the siting of the proposed stable and its associated infrastructure.

12. Whilst there would be some compliance with Policy 5.10 for the reasons I have set out, the lack of harm associated therewith would be neutral matters and thus incapable of outweighing any harm or areas of conflict. In any event, the main criteria in Policy 5.10 and wording within them are clearly to be read as a list with the use of the word 'and' ensuring that all matters should be addressed for a given scheme to be acceptable under its auspices.
13. I am also acutely aware that the excavation works on the site in the past do allude to human influence of some strength on the local landscape that has had an effect on the area's natural qualities. That said, the depression caused does show all the hallmarks of having long since been subsumed back into the landscape in visual terms and, as I have explained, would not be sufficient to make the proposed development's location acceptable.

Conclusion and Recommendation

14. For the reasons given above, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR