



Appeal Decision

Site visit made on 11 March 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 March 2025

Appeal Ref: APP/J9497/W/24/3352543

Hayes Torr Storage, Sticklepath EX20 2JJ

- 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 Andrew Webber of Hayes Torr Storage against the decision of Dartmoor National Park Authority.
 - The application Ref is 0221/24.
 - The development proposed is erection of timber storage building to match existing on site.
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Decision

1. The appeal is allowed and planning permission is granted for erection of timber storage building to match existing on site at Hayes Torr Storage, Sticklepath EX20 2JJ in accordance with the terms of the application, Ref 0221/24, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Exe/7 received 29/05/24; Exe/4 received 28/05/24; Exe/1 received 28/05/24; Exe/3 received 28/05/24; Exe/6 received 14/05/24.
 - 3) The extension hereby approved shall be used for storage and distribution (B8) use only and for no other purpose, including any other purpose in Class B of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification.
 - 4) The external materials of the extension hereby permitted shall match those used in the existing building.

Applications for costs

2. The appellant has made an application for costs, which is the subject of a separate decision.

Preliminary Matters

3. Following the Authority's notice of decision, the National Planning Policy Framework (the Framework) was revised on 12 December 2024. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that the numbering of paragraphs has changed. Hence, I am

satisfied that no one will be prejudiced by the changes to the national policy context.

4. There is some dispute within the submissions over the nature of the proposed development. The Authority correctly identify that the description of development does not refer to an extension, and the plans show an internal division between an approved building and this scheme. Nevertheless, it is clear from the plans and my own on-site observations that the proposal would extend an existing building, rather than create an entirely new one. While works were ongoing at the time of my visit, and notwithstanding the concrete floor pad, the proposed extension did not appear to have started. I have dealt with the appeal on that basis and the plans before me.

Main Issues

5. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- whether the proposed development would be in a suitable location having regard to the local economic development strategy.

Reasons

Character and appearance

6. The overall purpose of the Dartmoor Local Plan (LP) is set out in Strategic Policy (SP)1.1 which seeks to protect the National Park's special qualities, whilst meeting the needs of its communities. All development should seek to further its statutory purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area and promoting opportunities of the understanding and enjoyment of its special qualities by the public. It is necessary to seek to further these purposes in decision making. Furthermore, in such areas, paragraph 182 of the Framework attaches great weight to conserving and enhancing natural beauty.
7. The appeal site is in a semi-rural location on the edge of the village of Sticklepath. It is set amongst a number of timber storage buildings and a wider area of despoiled land that contains a variety of items. While there are some gaps in trees and vegetation, new planting to the south east and east, and existing tall trees, where the extension would sit behind, collectively provide a generous amount of landscaping. This would be likely to be greatly enhanced during times of the year when trees are in full leaf and through the coming seasons.
8. It is acknowledged that the proposal would extend built form further east than some existing sheds. However, it is of note that the approved shed it would adjoin also projects eastward and does not follow the same linear form or layout pattern as these other buildings. It is on a separate part of the wider site, and the extension would be tucked in close to its southern boundary. Rather than having a 'creeping' effect, as the Authority put it, a close clustered and well-integrated courtyard of covered and uncovered storage would result.
9. In its decision notice, the Authority cite concerns with the design of the proposal, though the officer report states that this would be acceptable. Even so, the proposal would sympathetically follow the same low roof pitch design, scale, and use of materials found on the permitted building and those nearby, which shows a

willingness on the part of the appellant to create a harmonious development that would seek to further the purposes of the National Park. This would also be consistent with the referenced 2010 Circular.

10. Given these proposed matching features and the surrounding trees, more distant views of the development, including of its narrow gable end from the east or other parts seen from the nearby settlement would be very similar. Moreover, the extension would be read within the context of its surrounding built form. In that respect, there is a building in the field to the south of the appeal site, which, with its associated access, creates a foreground view of built form when exiting Sticklepath. Having paid regard to the valued attributes of the locally defined character area, the overall effect of the development on the wider landscape would consequently be neutral. The more formalised arrangement of storage space within a sympathetically design building could also be said to have a modest enhancement on the appearance of the immediate area.
11. There is little to show that LP Policy 1.7, which is primarily concerned with local amenity, would be relevant to this appeal. Nevertheless, I find no conflict with it.
12. For the reasons given, I conclude on this main issue that the proposed development would not have a harmful effect on the character and appearance of the area. As such, there would be no conflict with SP1.1, SP1.2, SP1.3, SP1.5, SP2.1 and SP5.1 of the LP which, collectively in this respect, seek to conserve and enhance landscape character, ensuring location layout, scale and design conserves what is special about landscape character.

Economic development

13. Subject to conserving the special qualities of the National Park, the strategic support for economic development, including that relating to existing businesses and the use of previously developed land, is contained within a policies SP1.2, SP1.3, and SP5.1 of the LP. The latter focusses on business development proposals and says that these will be acceptable adjoining Local Centres. Despite other conflicting assertions made by the Authority, the officer report confirms the appeal site adjoins Sticklepath, which is a defined Local Centre. This is consistent with my own observations. If I were to take an opposing view, there would still be support for the small-scale expansion of an existing business under part 3 of the policy.
14. The appeal site forms part of a wider area of land where the Authority says that a former highway depot establishes its storage use. It is positioned immediately adjacent to a permitted storage building that was nearing completion at the time of my visit. There is no dispute that the scheme represents a small-scale expansion of an existing business.
15. The Authority is however concerned that there are other buildings next to the appeal site, within the same ownership that could be used for storage purposes. As a result, it is not convinced the proposed extended building would be necessary or justified, though there is little to show that demonstrating the need for a development is a policy requirement. In that context, there are suggestions of an alleged unauthorised use. However, this is not a matter for this appeal.
16. Be that as it may, the evidence shows that the building would be likely to be used for secure weatherproof storage for a scaffolding company that occupies much of

the wider site. At my visit, I saw that a good proportion of the land surrounding the appeal site was being used to store large quantities of scaffolding equipment. Therefore, even if all nearby buildings were free for such storage purposes, the scale of the proposed extension would not be excessive to the point where its use would be unjustified. Moreover, the option to provide such a facility would support a local business.

17. While the extension would add built form to a small part of a wider storage area, I have concluded above that it would be well integrated with other buildings. Furthermore, its use would remain the same, albeit, covered. As such, the proposal would not change the character of the use of land.
18. Accordingly, for the reasons given, including those in the main issue above, I conclude on this main issue that the proposed development would be in a suitable location having regard to the local economic development strategy. As such, there would be no conflict with SP1.1, SP1.2, SP1.3 and SP5.1 of the LP.

Other Matters

19. My attention has been drawn to the presence of other items near the appeal site, including shipping containers and lorry bodies. Permission has been specifically sought for this extension only, and any other activities on the wider site area that may or may not change its character or require planning permission are not relevant to this appeal. Neither is the lawfulness or otherwise of such things. This can only be formally determined by a lawful certificate application. Moreover, while I have paid regard to the comments made in respect of the site history, including photos and the amount of vegetation and trees, I have determined the appeal in its present-day sense. Accordingly, these comments are not determinative to the overall outcome.
20. The content of a previous appeal decision¹ near the appeal site is acknowledged. While there are similarities in respect of the site location, that scheme included 25 shipping containers. The effect of such a proposal on the character and appearance of the area would consequently be sufficiently at variance to this proposed extension. I give this matter little weight.

Conditions

21. I have made some amendments to the Authority's suggested conditions in the interests of clarity and to ensure compliance with the Framework.
22. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans in the interests of certainty.
23. In the interest of maintaining effective control over the use of the building within its wider setting, it is necessary to impose a condition removing certain permitted development rights.
24. The proposed materials are shown on the plans and reflect what has already been built so far on the attached building. It is not necessary to include separate roofing, cladding, or door material compliance conditions. However, a matching materials condition is reasonably necessary in the interests of the character and appearance

¹ APP/J9497/W/20/3250939

of the area. In that context, I have already concluded above that the existing vegetation and planting provides adequate screening, and it would therefore not be necessary to seek further enhancements in this regard. As such, I have not imposed the suggested landscaping condition.

25. I have not imposed the appellant's suggested condition to remove other structures from outside the appeal site to alternative locations, as this would not be reasonably related to the development proposed.

Conclusion

26. For the reasons given, the appeal is allowed.

J Hills

INSPECTOR