



Appeal Decision

Site visit made on 1 April 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2025

Appeal Ref: APP/J9497/W/24/3348219

Land formerly part of Aller Farm, Bovey Tracey, Newton Abbot, TQ13 9NE

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr S Palmer against the decision of Dartmoor National Park Authority.
 - The application Ref is 0011/24.
 - The development proposed is agricultural building, 33.53 x 27.45m with overhangs. The building will be 5.48m to eaves, 7.93m to ridge.
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Decision

1. The appeal is dismissed.

Background & Main Issue

2. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of (a) works for the erection, extension or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit. Paragraph A.2.(2) of Class A requires (amongst other things) the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.
3. The prior approval procedure under Part 6, Class A makes no provision for any determination to be made as to whether the agricultural building is permitted development (PD). For the avoidance of doubt this decision does not purport to address the question of whether the development is PD. I am instead addressing the question of whether, should the scheme come within the status of PD, prior approval should be granted.
4. In any event, the National Park Authority has confirmed that it is satisfied that the proposal is reasonably necessary for the purposes of agriculture and meets the relevant conditions and limitations of Part 6, Class A, with the matter at issue being whether prior approval should be granted in terms of siting, design and external appearance. In these regards, the Authority has raised concern specifically with the scale of the building.
5. Therefore, the main issue is whether prior approval should be granted having regard to the effect of the siting, design and external appearance of the proposed development on the character and appearance of the area.

Reasons

6. The appeal site is in an agricultural landscape that has a sloping topography. It is in the corner of a field just inside the boundary of Dartmoor National Park. Although there are residential properties and farmsteads in the wider area, they are not seen in the visual context of the site. The immediate setting of the site is characterised as undeveloped agricultural land that is devoid of large agricultural structures. An area of the field has been dug out and levelled and there is an existing vehicular access into the site from A382, which passes along the southern boundary of the field.
7. One of the large gables of the building created by the single span roof would face towards the A382. When I visited the site, the trees and hedgerows that form the boundary of the field with the road were not in leaf and the site was partially visible through the field boundary vegetation when driving along the A382 northwards. There is also the potential for the development to be seen from Lower Aller Lane, albeit through vegetation again. Taken together with the opening for the vehicular access, which would be a glimpsing view, the appeal proposal would be readily visible in some views from the road and the agricultural land that lies beyond it.
8. The building would be a sizeable structure in terms of its overall floor area and height. The submitted details indicate that the ridge height of the building would be nearly eight metres, and the floor area would be 920 square metres. Despite the views of the building being partial and seasonal, the massing and bulk of the proposed building would result in it being noticeable from the roads around the site. I reach this view knowing that land within the site has been excavated, which would result in the floor of the building being at a lower level than surrounding land, including the nearby road. Therefore, the introduction of a building of this size in an isolated location within a protected landscape would result in visually intrusive development that would evidently be unrelated and divorced from any other buildings. Moreover, its proportions would not be reflective of the scale of agricultural development present along this section of the arterial road into and through the National Park.
9. I note that the appellant has suggested that screening could be provided along the edge of the existing cutting and adjacent to the track leading to the site. However, the planting would take time to mature and would be unlikely to sufficiently reduce the harmful effect of the development identified above. Furthermore, the proposed landscaping would, itself, appear somewhat incongruous and at odds with the existing field patterns, such that it would not overcome the identified harm and would, itself, cause harm to the character of this area of the protected landscape.
10. I also acknowledge the reasons given by the appellant explaining why they selected this particular site for the proposed development. Justification has also been provided for the scale of the building, which is to store agricultural machinery and fodder. Additionally, it is explained that the appellant does not have any buildings on their farm that are accessible or suitable for the required purposes.
11. Notwithstanding these stated reasons, even if the location of the proposed development would result in benefits to the operating of the appellant's farm business and the scale of the building is necessary for the efficient running of the agricultural holding, this does not negate the previously identified harmful effect of

the proposed development on the landscape resulting from the combination of its siting and scale.

12. Planning permission was granted in September 2013 for the erection of a cattle building and associated development at the site. It is stated by the appellant that the permission is 'still live'. Notwithstanding this, it is also confirmed by the appellant that they have no intention to construct the building. I acknowledge the appellant's comments in this regard, but the information before me does not suggest the permitted cattle building and associated development would have similar or worse effects on the character and appearance of the area as the siting and design of the proposed building.
13. My attention also been drawn to agricultural buildings that have been approved by the Authority elsewhere. Whilst those buildings would appear to be of a similar scale and have large single span roofs, I have been provided with limited details on the context of their locations and there are no details showing the reasoning behind the Authority approving those proposals. As such, it is difficult to make a meaningful comparison between those developments and the appeal proposal. Furthermore, I am determining the appeal on its own individual merits based on the evidence before me. The examples of other agricultural development constructed in the National Park do not therefore alter my judgement on the appeal proposal.
14. It is also understood that the Authority suggested an amendment to the design of the proposed building that they considered would address their concerns. The appellant has explained why the proposal could not be altered in line with the Authority's suggested amendment. I note the reasons given by the appellant, but I am considering the merits of the appeal proposal before me, not potential amendments to the scheme. As such, this particular matter is not determinative in my consideration of the appeal.
15. For these reasons, the siting and design of the proposed development would have an unacceptably harmful effect on the character and appearance of the area. Consequently, prior approval should not be granted.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR