



Appeal Decision

Site visit made on 10 April 2025

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/J9497/W/24/3352744

West Corndon, Lane Past Higher Corndon, Chagford, Devon TQ13 8EE

- 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 Cooke against the decision of Dartmoor National Park Authority.
 - The application Ref is 0192/24.
 - The development proposed is Provision of an agricultural building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2024 after the appeal was submitted and was updated again in February 2025. Whilst the second reason for refusal refers to paragraphs 135, 180 and 182 of the 2023 Framework, the wording in those paragraphs is now found in paragraph 135 and amended paragraphs 187 and 189 of the 2025 Framework. I have determined the appeal on the basis of the 2025 Framework.

Main Issues

3. The main issues are
 - the effect of the development on the character and appearance of the site and the surrounding landscape having regard to the site's location in the Dartmoor National Park; and
 - whether there is a proven functional need for the proposed building which cannot be met by an existing building.

Reasons

Character and appearance

4. The proposed building would be sited to the east of the dwelling and adjacent to a hedgerow. A timber field shelter lies between the site and the dwelling separated from the dwelling by a further hedgerow. The site is on the northern edge of a field which slopes towards the south with further hedgerows and groups of trees between it and the hills beyond. The land rises to the north where there are other occasional buildings, including a small number of agricultural sheds. Overall, the character and appearance of the site and its surroundings is one comprising attractive, rolling countryside with narrow, winding lanes, fields enclosed by hedgebanks with only occasional buildings visible.

5. The site falls within Landscape Character Type 2D 'Moorland Edge Slopes' in the Landscape Character Assessment for Dartmoor National Park 2017. This summarises this part of the landscape as being characterised by an intricate pattern of medieval fields with post-medieval hedgebanks enclosing small fields of pasture and rough grazing. Nucleated hamlets and villages, often sheltered by woodland sit within this farmed mosaic. From my site visit, the site and its immediate surroundings are consistent with this character.
6. The proposed agricultural building would be approximately 18.4m in length, 9.1m wide and 5m high and clad primarily in timber with a grey profile cement fibre roof. It would be open on its southern side and located adjacent to the hedgerow which runs along the northern site boundary. Although the proposed design is a form of agricultural building commonly found in the countryside, its distance from the dwelling and the existing buildings adjacent to the western side of the dwelling means it would not form part of the existing small cluster of buildings.
7. Whilst the timber field shelter would lie between the proposed building and the dwelling, it too is separated from the house and does not form part of a cluster of buildings. Even if it were to be removed as a result of the proposal, the proposed building would not be located in the same position as that structure. It would be located east of it and would appear as an isolated building in the surrounding landscape.
8. The position of the proposed building on a hill means that the eastward spread of development across the hillslope would be clearly visible in views from the higher land beyond the shallow valley to the south. This is also evident from the photograph in appendix B of the appellants' appeal statement. From the viewpoint in the photograph, the significant gap between the proposal and the cluster of buildings around the dwelling, and the resultant harm to the protected landscape, would be very apparent.
9. Although there are other buildings, including some larger agricultural buildings on the higher land north of the site, they are separated from the site by fields and hedgerows. As a result, the proposal would also stand apart from those buildings and would not form part of a cluster with them in either visual or physical terms. It would, instead, appear as part of a fragmented, linear projection of development into the landscape eastwards across the hillslope. As a result, it would not conserve or enhance the natural beauty of the National Park.
10. The Dartmoor National Park Design Guide 2011 (DNPDG), whilst not part of the development plan, provides further guidance. Although tree planting is proposed, the DNPDG indicates that new planting should not be used to hide a badly sited building. Whilst tree planting may help to break up the outline of the proposed building and thereby reduce its visual impact on the landscape, due to its proposed position on the hillslope and its physical separation from the cluster of buildings around the dwelling, this would not overcome the harm that it would cause to the protected landscape.
11. Although an engineered flat surface is proposed and some ground works appear to have already taken place to allow the building to sit into the hill, I have not been provided with full details of the proposed finished site levels. The visual impact of the building on the landscape when viewed from the higher land to the north would nevertheless be softened by the existing hedge along the northern site boundary.

Whilst the hedgerow would be allowed to grow to reduce the visual impact of the building on the landscape when viewed from the north, it would not overcome the harm caused by the proposal to the wider landscape which I have identified above.

12. I am aware of other agricultural buildings which have been permitted in the area and that farming activities shape and manage much of the local landscape. Whilst I have seen some of the planning context of those buildings I am not familiar with the full details of each development. Although I have determined the appeal on its individual merits, from the evidence before me, there are clear differences between those schemes and the appeal proposal. The building at Holyberry Barn, West Corndon¹ is significantly smaller in footprint and lower in height than the appeal proposal as is that at Lingcombe, Chagford². Although I have not seen the site location plan of the buildings at Forder Farm, Chagford³, the evidence indicates that the buildings would be grouped with existing farm buildings to create a new farmyard. Similarly, the Officer Report and plans for the building at Lower Corndon Farm, Chagford⁴ indicates that the site was adjacent to an existing agricultural building.
13. Another smaller building at Lingcombe Farm, Chagford⁵ was not the subject of a planning application and was being progressed under the arrangements for agricultural permitted development under Schedule 2 Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). Moreover, the Officer Report on that case states that it was a replacement for a previous storm damaged building. Even though under certain circumstances agricultural buildings can be erected as permitted development under Part 6 of the GPDO, this does not justify the harm which would be caused to the landscape by the proposal.
14. An alternative site for the proposed building nearer the farmhouse on its southern side has been considered and found to be unsuitable due to the presence of springs. Although the proposed siting close to the grazing paddocks meets the appellants' functional requirements, I have not been provided with any clear evidence of other sites nearer the existing cluster of buildings which have been considered or why any such sites could not accommodate the proposal.
15. For the reasons given, the development would have a harmful effect on the character and appearance of the site and surrounding landscape in conflict with Dartmoor Local Plan 2021 (DLP) Strategic Policies 1.1, 1.2, 1.5, 2.1 and 5.8 in so far as they seek to conserve and enhance the landscape and scenic beauty of the Dartmoor National Park protected landscape.
16. The proposal would also conflict with the Framework's policy to protect and enhance valued landscapes. I attach great weight to the failure of the proposal to conserve and enhance the landscape and scenic beauty of the Dartmoor National Park, the statutory purposes of which I also have a duty to seek to further.

¹ LPA ref 0036/21

² LPA ref 0470/21

³ LPA ref 0279/18.

⁴ LPA ref 0361/17

⁵ LPA ref 0079/21

Need

17. The appellants' evidence indicates that the building is required to provide dry, secure storage for up to 200 bales of hay and 100 bales of straw; provide a suitable, versatile safe enclosure for animal handling, treatment and training; space to allow for segregation of animals when required; and provide indoor storage for farm machinery and equipment including a tractor, topper and harrow.
18. Whilst the evidence before me does not fully explain the purposes for which the livestock are kept and whether they form part of an agricultural or other land based rural business, the livestock which the appellants are responsible for includes approximately 24 ponies, 3 donkeys, a large steer, and small flocks of sheep and goats.
19. As part of my site visit I took the opportunity to carefully consider the use of the existing collection of buildings immediately to the west of the dwelling. They comprised an opened sided shed housing a small tractor and trailer, a traditional stone barn used for storage and adjacent timber sheds used for storage of bales, dog kennels and keeping of birds with an adjacent caged enclosure. There was also a separate single storey stone stable attached to the house. Together with the field shelter to the east of the dwelling, these buildings provide a variety of spaces for use in conjunction with the activities being carried out on the land.
20. The DNPDG recognises that modern farming practices do not always fit well with traditional farm buildings, and even though some of the existing buildings are of more recent timber construction, from what I observed on my site visit they are limited in size and function and do not provide the same level of versatile space which the proposed building would do.
21. Notwithstanding this, the stone barn, the field shelter and stable adjacent to the dwelling in particular all appear to provide functional, weather proof space. The evidence before me does not clearly demonstrate why at least some of the functional need for the proposed building could not continue to be met from those existing buildings as required by DLP policy 5.8. Nor does it demonstrate why the existing buildings could not be adapted or extended to meet some or all of those needs as suggested by the DNPDG. Whilst the existing buildings are close to the dwelling, the evidence does not demonstrate why this necessarily means that the area is not suitable for the handling and movement of livestock. It is not uncommon on traditional farmsteads for the farmhouse to be located adjacent to a farmyard.
22. Although the DLP and DNPG do not provide a methodology for calculating whether the scale of a development is proportionate to its functional need, for the reasons given, I am not convinced that there is a proven functional need for a building of the size proposed. The proposal therefore conflicts with policy 5.8 of the DLP in so far as it only permits agricultural or rural land-based development where, amongst other things, the functional need cannot be met by an existing building.

Conclusion

23. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR