



Appeal Decision

Site visit made on 9 September 2025

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/Q1153/W/25/3367098

Town Barton Farm, Road from Church Road to Holsworthy Bridge, Highampton, Devon EX21 5LE

- 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 Mrs Amanda Dumpleton against the decision of West Devon Borough Council.
 - The application Ref is 2859/24/FUL.
 - The development proposed is the change of use from agricultural fields to secure dog walking/exercise fields, creation of access and parking, and erection of boundary fence.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be suitably located having regard to relevant development plan policies on development in the countryside; and
 - The effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Location

3. The appeal site is outside the settlement boundary set out in the Highampton Neighbourhood Plan (HNP). Policy TTV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) only allows for development to be permitted in such locations where it can be demonstrated to support sustainable development and sustainable communities, referencing Policies SPT1 and SPT2 and including the provisions of Policy TTV26.
4. Policy TTV26 addresses development in the countryside. Part 1 of the policy outlines specific exceptional circumstances under which isolated development may be permitted. The site feels distinctly detached from the settlement, and while there are some buildings nearby, they do not form part of a continuous built-up area. Although it is relatively close to the village, it is physically and perceptually separated from it. As such, the proposal would constitute isolated development. None of the exceptions listed in Part 1 of Policy TTV26 apply, and therefore, the proposal does not comply with this element of the policy.

5. With respect to part 2 of Policy TTV26, the Council highlights part iv. as the most relevant, which requires developments to demonstrate a proven agricultural, forestry, or other occupational need for a countryside location. While I acknowledge that a dog walking field necessitates a large open area, the policy specifically calls for justification of the countryside location itself, distinct from the general need for space.
6. Information has been provided regarding the number of other similar facilities in the area and the local dog population, offering some limited justification for the potential demand. It is acknowledged that the site's distance from residential properties may help prevent disturbance from dog barking, and that the proposal aims to offer a relaxed and safe environment for dog owners. However, I am not satisfied that sufficient evidence has been provided to demonstrate a specific occupational need for the development to be located in an isolated countryside setting.
7. Policy DEV15 aims to support the rural economy by encouraging development in appropriate locations that contribute to economic diversification. Part 2 of the policy specifically endorses small-scale employment uses, provided there are no residual impacts on nearby properties or the environment. However, even if these conditions are met, compliance with the additional criteria outlined in part 8 of the policy is also required.
8. The relevant section of part 8 of Policy DEV15 are i. and ii. There is nothing before me to suggest that the access to the site is unsafe and therefore there is no conflict with part i.. Part ii. requires development to avoid a significant increase in the number of trips and facilitate the use of sustainable transport where appropriate. The application has been submitted with a Sustainable Travel Plan as required by the policy although this only provides limited details. It states that there is a bus stop with some services approximately 15 minutes from the site. The appellant also states that the facility would be used by the residents of the village.
9. The route to the site has no pavement and is unlit. Whilst this is not ideal, it is not uncommon for the area. I would anticipate that many of the people using the site would do so by car, even if it is possible for people to walk to the site or use public transport. The level of parking provision is reflective of this. I find that whilst Policy DEV15 provides some support for the development, based on the information provided I am not sufficiently satisfied that the use would not result in an increase in the number of trips reliant on private cars.
10. Furthermore, Policy DEV29 of the JLP is a transport policy with one of the considerations being that development proposals should maximise the use of sustainable transport in relation to the travel demands of the development and limit the impact of the development on the road network. Policy DEV32 relates to carbon reduction and reducing the energy load of a development. Limited details have been provided in respect of how these policies would be met.
11. It is notable that the HNP is supportive of small-scale business provision that offers a service to the community or the opportunity for local employment. The appellant refers to Policy HNPH1, this is a housing policy and therefore not strictly relevant to the development proposed. Within the justification for the policy, reference is made to a recreational use as part of an allocation and identifies the lack of facilities within the Parish.

12. The National Planning Policy Framework (the Framework) in paragraph 88 is supportive of business in rural areas, including diversification of agricultural business. It further enables sustainable leisure development which respect the character of the countryside. Paragraph 89 goes on to recognise that for sites to meet local business and community needs they may need to be found adjacent to or beyond existing settlements.
13. Drawing all the above together, the location for the proposed development is not supported by local plan policies due to its isolation, insufficient justification for a countryside location and the lack of sustainable transport options.
14. Overall, I have found the proposal conflicts with policies TTV1, TTV26, DEV15, DEV29 and DEV32. Whilst both local and national planning policies are supportive of economic growth in rural areas and recreation opportunities, I find that the conflict with the locational policies within the plan and the reliance on the use of a car to access the site would carry more weight in this context and the proposed development in the countryside in this instance would represent unsustainable development.

Character and Appearance

15. The site is surrounded by open fields and hedgerows, contributing to its rural character. Positioned on elevated ground, there are expansive views across the surrounding landscape. While the area is visually attractive countryside, it does not fall within any local or national landscape designations. Furthermore, I have not been provided with any landscape character assessments or other evidence indicating that the area possesses particularly distinctive or special qualities.
16. The Council's Landscape officer did not raise any significant concerns in respect of landscape harm. The officer report concludes that there are no objections regarding Policy DEV20 of the JLP which relates to high quality design and protecting landscape or Policy DEV23 which seeks to conserve and enhance the landscape and scenic and visual qualities of development. Neither of these policies is referred to in the reasons for refusal.
17. The proposed change of use would result in only minimal alteration to the overall landscape character. However, the introduction of a perimeter fence and a parking area would create a noticeable visual change within the immediate locality. The fence is proposed to run adjacent to existing hedgerows and provided a suitably muted or natural colour is used, its impact on views beyond the site is likely to be limited.
18. The creation of the access, along with the parking area, fencing, and gates, would be visible in close-range views of the site. While parking areas can be associated with urban environments, they are not uncommon in rural settings where they serve operational needs of countryside businesses. The size of the proposed parking area has been influenced by functional requirements, including the need for a turning space. I am satisfied that its scale is proportionate and not excessive.
19. In terms of character and appearance the reasons for refusal refer to Policies SPT1, SPT2, TTV1, TTV2 and TTV26 of the JLP which are the same policies included within the first reason. Policy HNPEN1 of the HNP is also included.

20. Policies from the JLP have been considered above. Although they have elements relating to design and local character, I do not identify any specific conflict with these policies as far as the visual appearance of the site is concerned, particularly given that no harm is identified in respect of Policies DEV20 and DEV23 of the same plan.
21. Policy HNPEN1 of the HNP is a specific environment policy. The policy requires that new development be of a scale to complement the traditional character of the village. The proposed development is small scale. The proposed parking area does not appear out of scale with any existing development within the village that I observed during my site visit.
22. The landscaping and boundary treatments would need to meet the aims of the policy in terms of the use of native species, and this could be secured as part of a landscaping condition. Overall, the proposal meets the aims of this policy as far as it is applicable to the use proposed and its visual impact.
23. Taking all the above into consideration I conclude that the proposed development would result in some visual change in the locality which would be more obvious in very close views than distant ones but overall this would not be visually harmful. No conflict has been identified with policies in the local plan which specifically focus on landscape effects, and I do not find there to be any significant conflict in relation to character and appearance in respect of policies SPT1, SPT2, TTV1, TTV2 and TTV26 of the JLP or HNPEN1 of the HNP.

Conclusion

24. While no harm has been identified regarding the character and appearance of the area, and some benefits of the scheme are acknowledged, these are outweighed by the policy conflicts. Specifically, the isolated location and lack of sufficient justification for a countryside position. The proposed development would conflict with the development plan, when read as a whole and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

H Faulkner

INSPECTOR