

# **TOWN AND COUNTRY PLANNING ACT**

## **APPEAL BY MR D. KING-SMITH**

### **THE HILLYFIELD, HARBOURNEFORD, SOUTH BRENT**

**PINS REFERENCE NOS: APP/J9497/W/3140928, W/17/3168180,  
W/17/3191100, J9497/C/16/3146596, C/16/3146597**

**LPA REFERENCE NOS: 0259/15, 001/17, ENF/0072/12**

### **Proof of Evidence of Peter Leaver CMLI on Landscape Matters**

## Introduction

- 1 I am Peter Leaver, a chartered landscape architect and director of David Wilson Partnership Limited. I hold a BA (hons) in landscape design and a postgraduate diploma in landscape architecture from Manchester Polytechnic. I was elected a member of the Landscape Institute in 1989. I worked from 1989 to 1997 for Bristol City Council, where my duties included landscape design for residential areas and preparing assessments of the landscape impact of planning applications for the City Council development control team.
- 2 Since 1997 I have been a partner, now director of David Wilson Partnership Limited, working as a landscape architect for a wide range of public and private sector clients. I currently advise the North Devon AONB on landscape matters. I have prepared landscape and visual impact assessments for a range of development types, including solar PV, large scale agricultural buildings and housing. I have previously given evidence at public inquiries and hearings on landscape and visual impact matters in relation to housing and renewable energy developments.
- 3 The evidence presented below constitutes my impartial and independent professional judgement, prepared with regard to relevant technical and professional standards.

## Scope of Evidence

- 4 This proof of evidence addresses the following reasons for refusal of planning consent and reasons for the issue of enforcement notices:
- 5 Part of para 1 APP 0438/17 (PINS ref 319110 and 3168180)  
*“...The proposal represents unsympathetic development which, by nature of its isolated location, size, scale and residential accommodation, is considered to be detrimental to the character of the area, failing to enhance the special*

*qualities of Dartmoor’s landscape, specifically the pastoral character of the fields and the strong mediaeval field patterns. Furthermore, the proposal fails to respect the tranquillity and remoteness of the site. The proposal is therefore contrary to Policies COR1, COR3 ... of the Dartmoor National Park Authority Core Strategy, Policies DMD5 and DMD34 of the Development Management and Delivery Development Plan Document, and the core aim of sustainable development as set out in the National Planning Policy Framework”*

- 6 APP 0446/17 Enforcement notices 1 and 2 (PINS ref 3146596 and 3146597)

*“The Development is contrary to policies COR1, COR2 and DMD34 in the development plan and government advice contained in the National Planning Policy Framework, in particular at para 115 and the National Parks Circular 2010. The Authority considers the Development an unjustified visual intrusion that adversely affects the character and appearance of this part of the National Park.”*

- 7 Evidence also addresses the impact of APP 0259/15 on the landscape character of this part of the National Park. (PINS ref 3140928)
- 8 Evidence outlines:
- the landscape character baseline for the woodland and surrounding area.
  - Policies relating to landscape conservation and enhancement
  - The sensitivity of the site and surrounding area to the type of development and change of use proposed
  - Description of the development and change of use
  - The impact of the development on landscape character and planning policy.
- 9 It is the National Park’s view that there are benefits to the character of the designated landscape in bringing the woodland at Hillyfield and Tom’s Brake into active management. Other evidence will argue that the built development and changes of use that are the subject of this

appeal are not a necessary or justified harm to balance against those benefits.

## The Site

- 10 The site is as indicated on Fig 1. The site is a steeply sloping, wooded valley to the south east of Harbourneford. It includes an area of ancient woodland, small disused quarry and watermeadow centred on a stream that runs through the valley. There is no public access to the site.
- 11 The woodland is accessed from a minor road to the north via a stone track. There are a number of other tracks through the woodland and a timber handling area (Fig1, J). Other structures and developments within the site are centred on three main areas: The quarry, the area around the handling area and the meadow. Appendix 3 includes photographs of the development on site.

## National Policy

- 12 The Environment Act 1995 sets out the statutory purposes for national parks in England and Wales:
  - Conserve and enhance the natural beauty, wildlife and cultural heritage
  - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
- 13 The purposes are reflected in para115 of the Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in the National Park.

## Dartmoor National Park Authority Local Plan

- 14 The Local Plan Core Strategies document sets out 16 sustainability objectives, the first of which reflects the first primary purpose of designation:

*To protect the special qualities and natural beauty of the Dartmoor National Park (CDXX p11)*

- 15 Core Policies COR1, COR3, COR4 include policy that is relevant to effects of development on the landscape of the National Park. Relevant sections only are noted below:

**16 COR1**

*In order to ensure that development within the Dartmoor National Park is undertaken in a sustainable manner, the following considerations should be taken into account:*

- g) the provision of high quality design and construction;*
- h) respect for and enhancement of the character, quality and tranquillity of local landscapes and the wider countryside;*
- i) the need to sustain the local distinctiveness, character, townscape, and the setting of settlements;*
- j) the need to conserve or enhance important historic and cultural features*

**17 COR3**

*Development will conserve and enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities and in making an assessment of development particular regard will be had to...:*

- Wetlands...;*
- woodlands, trees and orchards;*

**18 COR4**

*Development proposals will be expected to conform to the following design principles:*

- a) demonstrating a scale and layout appropriate to the site and its surroundings, conserving or enhancing the quality and distinctiveness of the built environment and local landscape character;*
- b) using external materials appropriate to the local environment;*

*c) making the best sustainable use of the site, including the re-use and refurbishment of existing buildings;*

19 Development Management Policies (DMD policies) provide more detailed guidance for managing development.

20 **Policy DMD1b** is clear that

*Within Dartmoor National Park, the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations in the determination of development proposals.*

21 The policy goes on to set out the only circumstances under which development can be provide for. These are where it would:

*a) conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; or*

*b) promote the understanding and enjoyment of the special qualities of the National Park; or*

*c) foster the social or economic well-being of the communities in the National Park provided that such development is compatible with the pursuit of National Park purposes. In all cases, development should not detract from, and where appropriate enhance, the special qualities of the National Park.:*

22 **Policy DMD5** reflects the primary purpose of National Park designation and is important in seeking to conserve and enhance the landscape of Dartmoor. It reads:

***Policy DMD5: Protecting the character of Dartmoors landscape***

*Development proposals should conserve and/or enhance the character and special qualities of the Dartmoor landscape by:*

◆ *respecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment;*

- ◆ *ensuring that location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character;*
- ◆ *retaining, integrating or enhancing distinctive local natural, semi-natural or cultural features;*
- ◆ *avoiding unsympathetic development that will harm the wider landscape or introduce or increase light pollution;*
- ◆ *respecting the tranquillity and sense of remoteness of Dartmoor.*

23 Bullet point 1 refers to the valued attributes of landscape character, as set out in the Dartmoor National Park Landscape Character Assessment (DLCA, CDXX). The introduction to the DLCA stresses the importance of these valued attributes to landscape character:

*4.6 In bullet point format, the key characteristics provide a more detailed explanation of character of the LCT in Dartmoor. Following the key characteristics is a boxed set of ‘valued attributes’ – these were selected from fieldwork observations and opinions from the workshops held to inform the study. The valued attributes are those aspects of the landscape that are really key to landscape character – i.e. **if any one attribute ceased to exist, it would have a major impact on the landscape concerned** (CDXX p38. *Emphasis added*).*

24 Inspectors decisions in recent years have upheld that great weight should be attached to conservation and enhancement of landscape character<sup>1</sup>, even in locations that are not publically visible, such as the appeal site:

*The appellant contends that the building could be screened by the creation of a new Devon Bank and planting close to the entrance to the site, and I accept that this could potentially be achieved. I also acknowledge that the*

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<sup>1</sup> APP 3169229 para11 (CDXX), APP2224932 para12 (CDXX), APP3151497 para9 (CDXX)

*building, by virtue of its siting at the lowest part of the field, would not be readily visible from any other nearby location due to existing banks and planting in the vicinity. However, this would not outweigh the harm to the landscape character of the area that would be caused by a building and associated developments on this scale in this location. (Appeal Ref: APP/J9497/W/16/3151497 Land at Court Gate Farm, Harbournford Cross, South Brent, TQ10 9DT . para 7 CDXX)*

- 25 **DMD3** reflects the Framework requirements for good design (NPPF paras 56&57). In relation to the effects on landscape character it states:

*Development proposals should help to sustain good quality places in Dartmoor National Park by:..*

- ◆ *responding to and reinforcing locally distinctive patterns of development, landscape and cultural heritage;...*
- ◆ *reflecting the principles set out in the Dartmoor National Park Design Guide supplementary planning document...*

- 26 Part 3 of The Design Guide is referred to as part of policy DMD3 provides advice on the siting and design of new agricultural buildings. The guide states:

*New buildings should be well designed, of good quality and functional. They need to be thoughtfully sited in the landscape – the accumulation of visual clutter and out of scale buildings would have a very damaging effect on the Dartmoor landscape. (CDXX p50)*

- 27 Detailed design guidance (p50 and following) goes on to define the types, design and scale of buildings that would be acceptable in the landscape. Design guidance includes the following:

- Fit into and be sympathetic to existing farmsteads and the landscape;
- Use of traditional materials and construction encouraged;
- Avoid light coloured and sheet materials for roofs;



- Dark roof colour and light walls preferred: vertical timber for walls.

28 **DMD34** sets out the criteria for agricultural, forestry and business development.

*Agricultural, forestry and other rural enterprise related non-residential development will be permitted where the proposal complies with the following criteria:*

The criteria include:

*(ii) it relates well to local landscape features and other building groups;*

*(iii) it is located and oriented with respect to local topography so as to reduce intrusive effects;*

*vii) existing non-traditional structures made redundant by the proposed development are removed.*

## Dartmoor National Park Management Plan

29 The Management Plan sets out fourteen special qualities of the National Park (CDXX). The preamble states that this list helps to identify “*what is most important to be conserved, enhanced and enjoyed*”. Not all are relevant to landscape character or to the appeal site. Those that are of relevance are noted below:

- **sheltered valleys** with upland oak woodland, rhôs pasture and fast-flowing boulder-strewn rivers, home to characteristic wildlife including the pied flycatcher and salmon, and rare species such as the marsh fritillary butterfly;
- **enclosed farmland** with small irregular pasture fields bounded by dry stone walls and hedgebanks providing a mosaic of different wildlife habitats, including hay meadows and species rich dry grasslands with wildlife such as the beautiful greater butterfly orchid;
- **timelessness - a place** spared many of the intrusions of modern life, with dark night-time skies;

- **tranquillity**, where it is possible to find absolute peace, offering spiritual refreshment and opportunities for quiet reflection, escape and creativity;
- a wealth of **historic buildings, structures and townscapes**, including a strong medieval settlement pattern of **scattered farmsteads, hamlets, villages and towns**, set within enclosed farmland surrounding the open moor and linked by an intimate pattern of sunken lanes;

## Baseline

### Published Landscape Character Assessment

- 30 Dartmoor National Park Landscape Character Assessment (DLCA, CDXX) is referred to in local plan policies, notably DMD5, and has been recently updated (2017). It divides the National Park into a number of landscape character types (LCTs). The site and surrounding area are within LCT5A: Inland Elevated Undulating Farmland (CDXXpp71 – 77).
- 31 Key characteristics and valued attributes of the LCT, as relevant to the appeal site, are noted below in dealing with site and local area sensitivity (paras 43 – 57). The landscape condition of the LCT is summarised:

*“This is a strongly farmed landscape, with areas of intensive arable cultivation and dairying contrasting with the pastoral and rough grazing character which characterises the majority of the National Park. Recent decades of intensification have led to the enlargement of fields and the removal of Devon banks, diluting medieval field patterns on some slopes. A feeling of neglect is evident in some locations, including the inappropriate management of traditional field boundaries (some over-flailed whilst others are gapped up with post-and-wire). Tranquillity is broken by*

*the proximity of major roads skirting the National Park boundary – particularly the A38, A30 and A386, as well as power lines located on some prominent ridgelines. Wooded stream valleys and patches of species-rich neutral and marshy grassland are important for nature conservation interest and provide local landscape diversity (including Lady's Wood & Viaduct Meadows SSSI, near South Brent). Long views to the higher land of central Dartmoor serve as reminders of the proximity of the contrasting 'wild' landscapes of the open moor. (CDXX p 74)*

- 32 The DLCA contains a landscape strategy and planning guidelines for the landscape. These provide clues as to how the requirements to conserve and enhance landscape character can be achieved. The overall landscape strategy for the LCT is:

*Protect and restore the landscape's medieval field patterns and rich agricultural mosaic, with Devon hedgerows restored to reinforce the landscape's historic sense of place and enhance functions in reducing soil erosion and agricultural run-off. Manage the farmed landscape to enhance wildlife interest and local diversity, and utilise new woodland planting to reduce diffuse pollution, flood risk and filter views of development. Maintain the sparse settlement pattern and open views to the open moorland of the Dartmoor core.*

- 33 Detailed policies include:

*Protect and maintain the small-scale medieval field patterns of the landscape...*

*Protect the sparsely settled character and intermittent long views to the high moorland. Carefully manage any new development outside the built form of the landscape's small, clustered medieval settlements, including along roads, and avoid development on prominent ridgelines where it will interrupt the character of undeveloped skylines. Protect the*

*landscape's traditional agricultural character, avoiding a spread of suburban influences.*

*Protect in a good state of repair the strong unifying local vernacular of local stone and slate, with some colourwashing. Limited new development should utilise the same materials and building styles wherever possible (whilst seeking to incorporate sustainable and low carbon building construction and design) – including farm outbuildings.*

- 34 Overlaying the Dartmoor Assessment is the Devon Landscape Character Assessment, which divides the county into a number of landscape character areas (LCA). Fig. 1 indicates that the site itself sits within the Mid Dart Valley and Slopes LCA (CDXX), while Harbourneford and the surrounding area are within the Southern Dartmoor and Fringes LCA (CDXX).
- 35 Distinctive characteristics of the Mid Dart Valley and Slopes LCA relevant to the appeal site and surrounding area are noted below in dealing with site sensitivity.
- 36 Special qualities and features of the LCA include:
- High scenic quality in many places within the wooded valley of the Dart and in sparsely developed parts of the more open tributaries and rolling hills.*
- Strong sense of tranquillity away from settlement and transport networks.*
- 37 The overall landscape strategy for the LCA is:
- To protect the distinctive and dramatic wooded gorge of the River Dart and the rural character of its tributaries and farmland setting. New development reflects the small scale, historic settlement pattern and vernacular character and conserves views across and along valleys. The landscape pattern of mixed pasture and arable fields with hedgerows, narrow lanes and woodland is conserved and enhanced and opportunities for green infrastructure links to*

*settlements and appropriate recreation developments are sought.*

38 Specific guidelines of note include:

*Protect the landscape's strong sense of tranquillity, resisting highway improvements and lighting schemes that would affect these special qualities.*

*Protect the sparse settlement pattern of houses, farms, hamlets and small nucleated villages.*

*Protect traditional building styles and materials, particularly the use of limestone, reflecting these in new development wherever possible (whilst seeking to incorporate sustainable design).*

39 Characteristics of the Southern Dartmoor and Fringes LCA relevant to the appeal include:

*Settlement generally consisting of isolated farms and small villages in valleys and tucked into sheltered folds of the hills.*

*A strong local vernacular tradition using local granite, with occasional colourwashed cob farmhouses.*

*A network of twisting, sunken lanes connecting villages with each other and with open moorland.*

*A high degree of tranquillity and sense of remoteness, particularly on higher land.*

*Extensive views southwards across South Devon to the sea*

40 Special qualities include:

*Very high scenic quality, most land being part of Dartmoor National Park.*

*Backdrop to views of Dartmoor from much of South Devon; outstanding views southwards across South Devon to the sea.*

*High levels of remoteness and tranquillity notably in upland areas away from the influence of the A38.*

## Historic Landscape Character

41 Devon County Council has an online record of historic landscape characterisations (HLC) that cover the whole county. An extract (Fig3) indicates that the open areas of the site are either water meadow, of medieval origin, or mediaeval enclosures. Some of the woodland, on the north and east facing valley slopes, is assessed as Ancient Woodland. Appendix 2 contains extracts of the Devon Historic Landscape Characterisation Report (CDXX)

## Designations

42 The site and study area are within the Dartmoor National Park. The woodland is local designated as a Woodland of Conservation Importance in the Dartmoor Local Plan.

## Site Sensitivity

- 43 An assessment of the site's sensitivity to the type of development proposed is made by combining judgements about the landscape's value, landscape quality / condition and its susceptibility to the type of development proposed. The methodology for carrying out the assessments is set out in appendix 1.
- 44 Much of the existing development on site has not been given planning consent. The baseline situation on which sensitivity is judged includes those elements that have either been given consent or for which prior approval has not been disputed. These include:
- Forest tracks
  - The site access road
  - The timber storage area
  - The tree nursery and chicken pens.

## Value:

- 45 **Designations:** The study area is valued at a national level through its designation as a National Park. Local value is ascribed in the DNPA Local Plan as a Woodland of Conservation Value.
- 46 **Tranquillity:** Tranquillity qualities are defined by the DNPA local plan as comprising: peace and quiet; remoteness; solitude; unspoilt natural

beauty and wide open spaces. (CDXX para 5.72). At the time of my visit, noise from the nearby A38 was not evident in the woodland or water meadows. The sounds heard are those of the stream running through the site and of wind in the trees. The qualities of peace and quiet were very evident on site. Within much of the woodland, there is a sense of unspoilt natural beauty – a little diminished by the presence of access tracks, non-native species (such as the bamboo area) and the timber storage area. The site is not physically remote, but there is a sense of remoteness and solitude within the woodland and meadow, enhanced by the enclosed nature of the landscape and by the lack of noise. The presence of access tracks and the fenced off chicken area diminish this sense slightly. Wide open spaces are not present on site.

47 **Representativeness:** The woodland and meadow contain many elements and characteristics that are representative of the host landscape character area and type (CDXX and CDXX). These include:

- Gently rolling farms with streams creating wooded valleys;
- Limestone geology present in disused quarries;
- Wooded, narrow tributary valley with surrounding, rolling hills;
- Semi natural habitats that include mixed woodland and stream corridors;
- Pastoral character to valley floor – small medieval fields of rough sheep grazing;
- Species rich neutral grassland, marsh in valley bottoms;
- Strong sense of tranquillity.

48 Valued attributes, as referred to in the DLCA and policy DMD5 represented on the site include:

- Part of a patchwork landscape of farmland, woodland, small settlement and rural lanes;
- Typical of a gently rolling topography dissected by small streams;
- Bands of mixed and broadleaf woodland, patches of neutral and marshy grasslands;
- Strong mediaeval field pattern;
- Pastoral character;

- 49 Other special qualities and features of the Devon LCA are also present:
- High scenic quality;
  - Strong sense of tranquillity.
- 50 The special qualities of the National Park, as described in the DNPA Management Plan (CDXXX) present on site include:
- **sheltered valleys** with upland oak woodland and fast-flowing boulder-strewn rivers;
  - **timelessness** - a place spared many of the intrusions of modern life, with dark night-time skies;
  - **Tranquillity**, where it is possible to find absolute peace, offering spiritual refreshment and opportunities for quiet reflection, escape and creativity.
  - a strong medieval settlement pattern of **scattered farmsteads, hamlets, villages and towns**, set within enclosed farmland surrounding the open moor and linked by an intimate pattern of sunken lanes
- 51 **Rarity:** The DNPA Local Plan map (CD XXX) indicates that Woodland of Conservation Importance is a moderately rare resource within the National Park. Devon Historic Landscape Characterisation information indicates that watermeadow is a rare resource within Dartmoor and Devon as a whole (Fig 4).

### Landscape Quality

- 52 The valued attributes noted above are generally in good condition, showing few signs of deterioration or neglect. Evidence on site is that the woodland has suffered from neglect in the past but is now being brought under management. There are some signs of recreational pressure on site.
- 53 The DLCA contains a summary of landscape condition (CDXX p74). Elements in the wider LCT that reduce landscape quality tend to be absent from the site. These include intensive cultivation; hedgerow removal; a feeling of neglect; loss of tranquillity due to road noise and presence of power lines on prominent ridges.



## Susceptibility to change

- 54 Characteristics and elements on site that are particularly susceptible to change from the type of development noted below (para XXX) include:
- Strong sense of tranquillity;
  - High scenic quality;
  - Pastoral, unsettled character of woodland and meadow;
  - Medieval field pattern;
  - Sparse settlement pattern – the balance of undeveloped and developed land.
- 55 The site is a small scale landscape, with high levels of containment afforded by topography and tree cover. The valley floor, where development is concentrated, is not visible from publically accessible land or rights of way.
- 56 There is no existing reference either on site or in the local area for the type of development currently on site or for the residential / workshop uses proposed. There are limited opportunities for replacement of woodland in the local area and little scope for replacement of water meadow character.
- 57 Few of the detracting elements that are present elsewhere in the landscape type and area are noticeable on site (as noted above). Within the woodland, the existing tracks and storage area are detracting elements, but they have little influence on landscape character. The fenced chicken pens and the sauna horsebox in the meadow detract from the area's pastoral character. Despite this, the fundamental character of the meadow is maintained.

## Summary

- 58 Both woodland and water meadow are rare in the context of Dartmoor. The site is recognised by national and local designations; many of the valued attributes of the host landscape are represented on site. Levels of tranquillity are moderately high. In all, the site is considered to display **high** landscape value.
- 59 The site displays **medium to high** landscape quality, most elements are intact and in good condition with few detracting elements present.

60 There is no reference for the type of development proposed within the site, ancient woodland and water meadow characteristics would not be easy to replace and detracting features have little influence on the character of the landscape. The landscape is of a small scale with high levels of containment and limited visual impact beyond the valley floor. Overall susceptibility to change is judged to be **medium to high**.

### Local area sensitivity

61 The area of development on site is not visible from surrounding roads, settlements or publically accessible areas. Additional activity and activity on the local road network, noise and light pollution are the main activities to which the surrounding area would be subjected.

### Value:

62 **Designations:** The study area is valued at a national level through its designation as a National Park.

63 **Tranquillity:** There is a sense of remoteness, peace and solitude in the study area, although it is close to main road (A38) to the south east. There are low levels of activity in this traditionally rural landscape. Views are open and panoramic through gaps in hedgerows on lanes to the north and south of the site. On these less sheltered lanes to the north and south of the area the noise of the A38 and light pollution from the road is a noticeable element, detracting somewhat from the sense of tranquillity. However, this pollution does not spread far from the road itself and is less apparent in lower areas than on high ground.

64 **Representativeness:** The area contains elements that are representative of the host landscape character area (Southern Dartmoor and Fringes CDXX) and type (Inland Elevated Undulating Land CDXX), as well as valued attributes and special qualities.

Characteristics and special qualities include:

- Gently rolling farmland;
- Wooded slopes and fields bounded by hedgebanks. Areas of ancient woodland;

- Predominantly pastoral land use, medium to large scale field pattern;
- Dispersed settlement pattern – isolated farms, nucleated hamlet focussed on bridging point;
- Buildings stone, slate roofed;
- Small, narrow lanes;
- Long views over surrounding landscape and glimpses of high moorland;
- Patchwork landscape of farmland, woodland, small settlement and rural lanes;
- Very high scenic quality and high degree of tranquillity
- Typical of a gently rolling topography dissected by small streams;

65 Valued attributes, as referred to in the DLCA and policy DMD5 represented in the local area include:

- Part of a patchwork landscape of farmland, woodland, small settlement and rural lanes;
- Typical of a gently rolling topography dissected by small streams;
- Bands of mixed and broadleaf woodland, patches of neutral and marshy grasslands;
- Pastoral character;
- Scattered villages and hamlets linked by a network of narrow lanes.

66 The special qualities of the National Park, as described in the DNPA Management Plan (CDXXX) present in the study area include:

- **enclosed farmland** with small irregular pasture fields bounded by dry stone walls and hedgebanks;
- **timelessness** - a place spared many of the intrusions of modern life, with dark night-time skies;
- a strong medieval settlement pattern of **scattered farmsteads, hamlets, villages and towns**, set within enclosed farmland surrounding the open moor and linked by an intimate pattern of sunken lanes.

- 67 **Rarity:** Pastoral landscapes, such as the study area, constitute much of the National Park that is not open moorland. National Parks and AONBs cover around 24% of the land area of England<sup>2</sup>.

### Landscape Quality

- 68 The valued attributes noted above are generally in good condition, showing few signs of deterioration or neglect.
- 69 Loss of tranquillity due to road noise and presence of power lines on prominent ridges have a detrimental effect on landscape quality.

### Susceptibility to change

- 70 Characteristics and elements on site that are particularly susceptible to change from the type of development existing and proposed on site include:
- High degree of tranquillity;
  - High scenic quality;
  - Sparse settlement pattern – the balance of undeveloped and developed land.
- 71 This is a large scale landscape, with low levels of containment on high ground. Within Harbournford and on the lower slopes the landscape has a smaller scale, more intimate character.
- 72 There is little existing reference in the local area for the type of development currently on site or for the residential / workshop uses proposed. There are a scattering of small, modern barns in the local area which provide reference for some of the proposed buildings.
- 73 Detracting elements include the presence of electricity pylons on the skyline to the east of the study area and noise / light pollution connected with the nearby A38. Nevertheless, the landscape retains much of its high scenic quality and sense of tranquillity.
- 74 There are few opportunities for mitigation as a result of increased road activity, noise or light pollution in the local area.

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<sup>2</sup> NE353, Natural England Designations Strategy, 2012. Natural England. P5  
<https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&ved=0ahUKEwixlbvmsdrZAhVCvxQKH31CWAQFghuMAU&url=http%3A%2F%2Fpublications.naturalengland.org.uk%2Ffile%2F2635576&usg=AOvVaw0OrDit5BYhC495BiYrJXKh>

## Summary

- 75 The local landscape is not particularly rare in the context of Dartmoor, although more so in a national context. The area is recognised by the highest national landscape designation; many of the valued attributes of the host landscape are represented in the study area. Levels of tranquillity are moderately high. In all, the local area is considered to display **medium - high** landscape value.
- 76 The local area displays **medium to high** landscape quality, most elements are intact and in good condition, buildings reflect the local vernacular well and there are few detracting elements to landscape quality present.
- 77 This is a moderately large scale landscape, with high levels of interaction between land use, topography and vegetation. There is some reference for some of the types of development proposed. Detracting elements are apparent in the area and these are similar to the potential effects of the proposed development. There are limited opportunities for mitigation or replacement of landscape characteristics lost as a result of the development. Overall susceptibility to change is judged to be **medium to high**.

## Impacts of Development

- 78 The extent and degree of impact is assessed by taking account of the susceptibility of the site and surrounding area to development (as discussed above) along with judgements on the magnitude of change brought about by the proposed and existing developments on site.
- 79 A number of different types of activity or development take place on the site or are proposed. Each has a slightly different effect on the character of the study area and on the special qualities of the National Park in the local area.

## Description of proposed / existing development

- 80 Development is in 3 main areas within the site (figure 1). Development for storage of timber, machinery tools etc. at the quarry site (Fig 1). Existing structures include 2 lorry bodies (Fig 1 C), a pair

of open fronted timber clad storage buildings (Fig 1 X). There are also a tented structure and a shed that are not part of this appeal. An application has been made for 2 barns in the quarry (APP 0259/15, Fig 1 H, J). The appellants statement of case to appeal 3140928 is silent on the remaining need for the lorries should the barns be granted consent. In the same document, in relation to appeal 3146596, it is stated that the lorry bodies would remain (para 3.2.11).

- 81 It is assumed that noise and activity around these structures will be rare and occasional, limited to the times of felling and extraction operations in the woodland.
- 82 Factors that contribute to landscape impact from storage structures include:
- Character of development
  - Mass, scale and design of structures;
  - Low and intermittent levels of activity;
  - Ancillary tracks etc.;
  - Intermittent levels of noise – vehicles and machinery
- 83 The existing workshop is a tented structure on the edge of woodland to the north south of the timber holding area (Fig1 B). A multipurpose building is proposed to replace this structure (APP 0438/17, Fig1 K). The site for the proposed building is visible from the site access track (photo 22). No visibility from publically accessible locations has been identified.
- 84 The planning statement accompanying the planning application states at para 2.6.5 that:

*Overall the building will remove the need for the separate covered workspace, currently located in the woodland to the north west, the welfare tent in the meadow and the two touring caravans sited immediately to the north, siting all of these uses beside the main timber handling area for the holding.*

It is assumed therefore that the structures noted would be removed as part of any planning consent for the multi-use building.

85 Workshop units generate noise and activity during daylight hours.

Their use could be considered to be akin to the levels of activity associated with light industry / crafts workshops.

86 Factors likely to contribute to landscape impact from workshop structures are:

- Character of development
- Mass, scale and design of structures;
- Continuous and moderate levels of activity;
- Ancillary tracks, storage, parking etc.;
- Machinery noise during normal working hours
- Lighting

87 A number of residential / amenity structures are also on site or proposed. These are in the area around the timber holding area and in the meadow area. These include

- 2 caravans (Fig1 E1, E2) – used seasonally as stated in APP0438 planning statement para2.5.4;
- The field kitchen (Fig1 A), used daily – APP 0438 statement para 2.4.6;
- A yurt (Fig 1 D) used seasonally as stated in APP0438 planning statement para2.5.4;
- Compost toilets (Fig1 F, G).
- There is also a horsebox sauna in the meadow, but this is not part of the enforcement notice or this appeal (Fig 1 L),

The appellant's planning statement states that the 2 caravans and the field kitchen would be removed if the multi-use building were to be granted consent.

88 It is assumed that levels of activity will continue over weekends and after dark as well as during the working week.

## Impacts of Development

### Storage structures

89 The structures include the existing timber and sheet material storage barns in the quarry (Fig 1 X), the existing lorry beds and the proposed storage barn in the quarry (Fig 1 C) and the proposed storage barns in the quarry (Fig1 H,I).

- 90 The lorry beds have no vernacular context within the landscape. Similarly, there is little context for storage buildings within steep valley woodlands on Dartmoor. Within the host landscape character type and area, settlement pattern is of scattered houses and farms, along with nucleated villages often at crossing points (such as Harbourneford). There is no context for settled woodland.
- 91 The Dartmoor Design Guide sets out criteria for new agricultural building (CDXX pp50 – 54). The existing lorry bodies do not meet these requirements. The other proposed and existing structures in the quarry are of sheet materials and timber cladding. They would meet the requirements of the Design Guide in terms of materials and scale, but with the addition of the proposed barns, the quarry base would contain 6 structures, with differences in design and materials between them. The pattern of development in the local area would be changed as a result of the collection of structures, weakening the valued attribute of the patchwork pattern of landscape, farmland and small settlement within the host landscape character type. If removal of the lorry bodies were to be conditioned as part of a consent on the two barns, the situation would be slightly different. There would be less disparity between the design and materials in the structures, but the development of the quarry would still weaken the settlement pattern character of the local landscape. my overall assessment of the changes to local landscape character would remain the same.
- 92 There is unlikely to be much noise associated with storage functions of structures on site, except at times of woodland management operations. There is no requirement for lighting associated with storage.
- 93 Ancillary development includes woodland tracks (as those consented) and levels of activity limited to the periods around woodland management activities.
- 94 The character of the quarry itself site is fundamentally changed as a result of the existing and proposed development. The scale of change would be large, the development permanent. Effects would be limited



to a small area contained within the quarry itself, as little activity or ancillary development is anticipated to spread into the surrounding woodland as a result of storage use. The overall magnitude of change would be **medium – low adverse**.

### Workshop Building

- 95 An existing workshop tented structure is located close to the disused leat to the north of the hardstanding (Fig1 B). The proposed multi use building would be located to the south of the hardstanding (Fig 1K). Part of the proposed building's function is as a workshop for woodland crafts. The submitted planning statement suggests fairly low levels of activity (APP0438/17 paras 2.3.1 – 2.3.3), uses would be similar to a craft workshop or light industrial use. Levels of activity could be expected to be higher than for the storage spaces and may involve vehicle movement - the proposed workshop is some distance from the proposed tool store and timber store (in the quarry) so movement of people and materials through the woods is anticipated.
- 96 There is no context in the existing landscape for the tented structure. It would not meet the Design Guide criteria for a new agricultural building.
- 97 The proposed building is 2 storeys in height (6.95m to ridge), timber clad with sheet material roofing. It would fit the Design Guide criteria for new agricultural buildings in terms of materials, but the inclusion of windows would make it appear more industrial than agricultural. The residential use of the building would require building regulations approval. It is possible that the internal layout and external appearance would need to be altered to take account of these requirements. For example, an alternative means of escape from the dormitory may require the building to be larger or to include an external staircase.
- 98 Noise: The submitted planning statement suggests that noisy activities would take place in the building (APP 0438 para 2.6.2). It is not clear if the workshop activities would take place after dark or if any lighting is proposed.

- 99 The building would be a dominant new permanent element in an existing area of water meadow. The character of the meadow would be altered from one of unsettled, mediaeval pasture with high scenic quality and medium to high levels of tranquillity to one where modern human intervention was a prominent characteristic. Valued attributes, as described in the DLCA and referred to in DMD5 would be changed or lost, namely the pastoral character of the meadow would be lost and the strong mediaeval field pattern and patchwork pattern of farmland, woodland and small settlement would be diluted by the development.
- 100 The scale of change would be **medium**, the baseline situation would be noticeably changed as a result of the proposed structure. The building is expected to be **permanent** and the most noticeable effects of the building and the activity associated with it would be **limited** to the woodland and water meadow area. Associated noise and possible light pollution, along with increased levels of activity on local roads could have an effect on the tranquillity of the local area. The presence of the building and the activity associated with it would result in reduced levels of tranquillity locally. Overall, the magnitude of change predicted would be **medium and adverse**.

### Residential and Welfare Uses

- 101 Structures intended for seasonal workers accommodation and facilities, as well as the education and training events on site, include the field kitchen (A, Fig 1); the platform and Yurt (D), two caravans (E), 2 compost toilets (F,G). Part of the proposed multi use building (K) would be for residential and welfare use. It would replace the Field Kitchen and 2 Caravans should it be consented. The horsebox sauna (L – not part of the enforcement notice) has not been considered as part of this assessment.
- 102 The existing structures are spread through the meadow in the centre of the site. At the time of my visit the meadow was being grazed by sheep, but the space displays domestic qualities as well as the agricultural character of water meadow.

- 103 The character of settlement in the host character area and type is of farms or of nucleated settlements. The arrangement of structures on site does not conform to that prevailing character. Structures are widely spread within the meadow, with little delineation between residential space and pasture. The existing structures are of fabric and wood or are caravans. They do not follow the Dartmoor Design Guide in terms of materials, scale or design.
- 104 The proposed multi use building is dealt with above. The proposed use of the building as a dormitory has resulted in a design that contains domestic elements within a structure that is otherwise agricultural in character. The inclusion of a chimney, small windows and roof lights turn this into an incongruous structure without context in the local landscape (APP0438/17. Elevations drawing).
- 105 As well as the structures themselves, the by-products of residential use are a noticeable feature of the landscape. Domestic scale fencing (photo 9), a small garden area (photo 12) and improvised timber furniture all contribute to the domestic character of the space.
- 106 Noise, activity and some light pollution are predicted as a result of human habitation of the water meadow. Some of these effects will spill out of the valley and be noticeable in the wider landscape, but it is anticipated that these effects will be permanent, but intermittent and of a small scale. The effects would be noticeable in a limited area around Harbournford and at the top of the wooded valley.
- 107 The existing residential development on site has led to a fundamental change to the character of the water meadow. The presence of residential structures and ancillary features are now prominent in the character of the landscape. Valued attributes, as described in the DLCA and referred to in DMD5 have been changed by development on the meadow: the pastoral character of the meadow, the strong mediaeval field pattern and patchwork pattern of farmland, woodland and small settlement have been diminished by the development and ancillary structures. The characteristics of a timeless, tranquil landscape with high scenic quality have been diluted.

108 Noticeable changes to the baseline situation are evident, although the underlying character of the meadow is still discernible. The scale of change is **medium**. Change is predicted to be **permanent** and the changes to character affect a **limited** area of the woodland and meadow. Overall, the magnitude of change is assessed as **medium to low adverse**.

109 APP 0438/17 proposes that the field kitchen and caravans would be removed if the new multi-purpose building were to go ahead. No reductions in the level of activity are predicted as a result of the proposed building. The impact of structures on water meadow character would be slightly reduced, but the reduction would be outweighed by the presence of a large new element in the landscape. The impact of development would be as for the multi-use building – **medium adverse**.

### Siting

110 The effects described are exacerbated by structures being spread around the woodland and meadow. At each of the three main locations, the qualities of tranquillity and naturalness are adversely affected. These detrimental effects diminish with distance from each location, but the presence of human activity is noticeable throughout the valley floor and open slopes of the woodland.

111 In my judgement, the siting of structures within the woodland or meadow has not mitigated the detrimental effects of development. Should structures be found to be necessary within the woodland, their siting and design could better mitigate harmful effects on the special qualities and character of the area.

### Summary of impacts

112 The proposed and existing storage structures in the quarry area would result in small to medium adverse magnitude of change to a landscape of medium to high quality, value and sensitivity to the type of change proposed. Overall, the effect of development is assessed as moderate to slight and adverse.

- 113 Proposed and existing workshop facilities in the meadow are predicted to result in medium adverse magnitude of change. The overall effect on a landscape of medium to high value is predicted as moderate adverse.
- 114 Residential uses of the site (even on a part time basis) result in a magnitude of change to the site of medium to low adverse. The overall effect is assessed as moderate and adverse.
- 115 These effects relate to the woodland and meadow. Adverse effects in the local area away from the site would be in relation to higher levels of activity on local roads, intermittent noise and light pollution. The magnitude of change would be low – negligible within a landscape of medium – high sensitivity. Overall effects are predicted to be slight and adverse.

## Conclusion

- 116 The impacts described as a result of development in The Hillyfield are adverse and can be considered harmful to landscape character and the valued attributes of the local area. The area affected may be limited, but national and local policy is clear that within the National Park great weight is to be given to conservation and enhancement of landscape and scenic beauty. The developments at The Hillyfield neither conserve nor enhance scenic beauty nor landscape.

## Impacts on landscape character

- 117 The site is within a National Park, where landscape and scenic beauty are valued by the highest level of national designation. My own assessment is that the site itself is of high landscape value and medium to high sensitivity to change from the type of development existing on site and proposed.
- 118 Change to landscape character as a result of the development already on site and that proposed are all predicted to be adverse in nature, resulting in harm to the character of the landscape on site and to the local landscape resource.

- 119 The proposals and existing development fail to conserve or enhance landscape character and scenic beauty, consideration of which is to be given great weight by para 115 of The Framework.
- 120 Policy DMD1b of the DNPA local plan requires that the conservation and enhancement of the natural beauty, wildlife and cultural heritage will be given priority over other considerations. The existing and proposed developments on site neither conserve nor enhance those qualities.
- 121 The developments on site do not respect or enhance the character and special qualities of the local landscape and woodland as required by DNPA policies COR1 and COR3. In the arrangement of structures on site, my judgement is that the development does not make the best sustainable use of the site and does not conserve or enhance local landscape character as required by policy COR4.
- 122 Developments do not comply with the requirements of Policy DMD5, in that the valued attributes of the local landscape character are not respected in relation to pastoral character; strong medieval field pattern the pattern of development in the local area.

### **Impacts on the qualities of local distinctiveness**

- 123 The strong medieval pattern of development is one of the special qualities of the National Park. Locally distinctive patterns of development, vernacular design and the use of vernacular materials are key characteristics of the protected landscape. Through planning policy and supplementary design guidance, the DNPA seeks to conserve and enhance that local distinctiveness.
- 124 In their layout, design, scale and materials, most of the existing structures on site do not conserve or enhance the locally distinctive character of the landscape, settlement pattern or building design and materials.
- 125 Of the proposed buildings, the multi-use building does not reflect local distinctive qualities in terms of its design or location. The proposed barns do not reflect distinctive patterns of development.

- 126 The location scale and design of the existing tented structures, caravans and lorries, as well as the proposed multi use structure do not reinforce, conserve or enhance locally distinctive patterns of development or design and, where located on medieval field patterns, do not respond to the landscape or cultural heritage of the local area. The principles set out in the Design Guide have not been followed in relation to these structures. As a result, the development cannot be said to meet the requirements Policies COR4, DMD3 or DMD5.
- 127 In relation to policy DMD34, the layout of structures throughout the site do not relate well to each other, as required by point ii of the policy. Proposed and existing development in the medieval water meadow would not relate well to this landscape feature, where pastoral character is an important attribute of the landscape.

### Impacts on tranquillity

128 High levels of tranquillity are characteristic of the host landscape character area and are a special quality of the National Park. The DNPA Core Strategy describes the qualities of tranquillity as being:

- peace and quiet
- remoteness
- solitude
- unspoilt natural beauty
- wide open spaces.

Many of these qualities are found on site and in the surrounding area.

129 The location and design of built structures and enhanced levels of activity associated with them have a marked detrimental impact on the levels of tranquillity on site. Existing and proposed development would not meet the requirements of policies in the DNPA Local Plan that seek to protect tranquillity. Notably Policy COR3 requires development to conserve and enhance features that contribute to Dartmoor's special qualities (including the quality of tranquillity). Policy DMD5 requires development to respect the tranquillity of Dartmoor.