
Appeal Decision

Site visit made on 6 December 2016

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21ST December 2016

Appeal Ref: APP/U1105/W/16/3157073

The Barn, Fernleigh, Offwell, near Honiton, Devon EX14 9SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Derek Blackmore against the decision of East Devon District Council.
 - The application Ref 15/2637, dated 12 October 2015, was refused by notice dated 23 February 2016.
 - The development proposed is described as convert barn to dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - (a) Whether the barn is structurally sound and capable of conversion
 - (b) The effect of the design of the new building on the character and appearance of the area
 - (c) Whether the site is in a location remote from services and facilities

Reasons

The Barn's Structure

3. The appellant requested at final comments stage if he could submit a structural survey of the barn but such a request is unacceptable at this stage of the appeal because the Council would not have a chance to comment on it. Such documentation should normally be submitted upfront to the Council as part of the application.
 4. The appellant opines that the works can take place without compromising the structural stability of the building. However, the Council's Building Control officer disagrees and states essentially that a structural survey is necessary to determine whether the existing concrete structure can support the new heavier roof and increased loadings.
 5. I agree that such a structural survey is necessary in this respect. In its absence I conclude that it has not been proven that the existing structure, as modified, is capable of accommodating the conversion works. This is a
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requirement of paragraph 2 of Policy D8 (Re-Use of Rural Buildings Outside of Settlements) in the newly adopted East Devon Local Plan (LP).

Design, Character and Appearance

6. I agree with the Council that the lowering of the barn's roof to approximately the height of its eaves and the construction of two gable features to its front elevation would produce a building of a much more domestic appearance. However, there are several other dwellings of a not dissimilar design in the local area and this would not harm the character or appearance of the area in itself.
7. The new dwelling would be faced with local chert stone. The appellant argues that the size of the local barn, with its rusty corrugated iron clad walls, is essentially an eyesore. I disagree. Such agricultural barns are an accepted feature of rural areas like this. The lower domestic appearance of the new dwelling, whilst having a neutral impact on the local landscape, would not enhance it.
8. The Council also asserts that the garden areas of the new dwelling and the division of the field by a new hedge would introduce alien field divisions and domestic paraphernalia into the AONB landscape. Whilst I agree that this would not enhance the landscape it would not seriously harm it either, especially since it is proposed to close up the existing access by planting a new hedge across it on Featherbed Lane and also plant a new orchard beyond the rear garden of the proposed house.
9. However, paragraph 1 and b) of LP Policy D8 requires that such residential conversions will enhance their setting and character of the building, which this development would not do for the above reasons. It therefore fails to comply with this aspect of the Policy, as well as paragraph 55 of the National Planning Policy Framework.

Location

10. Paragraph 1 of Policy D8 also requires such residential conversions to not substantively add to the need to travel by car. The site is 240 metres from Offwell village but the only facilities there are a small primary school, a church and a recreation ground and building. The nearest shop is at Windmill Garage on the main A35, about a mile away. Occupiers of the new dwelling would be unlikely to walk this distance along narrow unlit country roads and so would be reliant on travel by car.
11. Other services that would be required by residents are either in more distant villages or in Honiton. Although buses travel along the A35 between Axminster and Honiton they are not particularly frequent and the nearest bus stop is again at Windmill Garage. The local bus service does not therefore comprise a realistic alternative to the private car.
12. For these reasons I conclude that the site is in a location remote from services and facilities. It would fail to comply with LP Policy D8 and with Strategy 7, which only permits development in the countryside where it is accordance with a specific Local or Neighbourhood Plan policy; no such policy exists.

Conclusion

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

Nick Fagan

INSPECTOR