

# Appeal Decision

Site visit made on 24 September 2019

**by Matthew Jones BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 October 2019**

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**Appeal Ref: APP/P1133/W/19/3232291**

**Humbercroft, Lane Past Humber Farm, Humber TQ14 9TD**

- 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 S Nicks against the decision of Teignbridge District Council.
  - The application Ref 18/02392/FUL, dated 20 November 2018, was refused by notice dated 15 January 2019.
  - The proposal is the replacement of metal containers and storage shed with coach house comprising garaging on the ground floor with holiday accommodation over.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - the effect of the proposal on the character and appearance of the area; and,
  - the suitability of the location for tourism development.

## Reasons

### *Character and appearance*

3. The appeal site is part of the large grounds serving the detached dwelling Humbercroft, within the small settlement of Humber. A vehicular entrance provides access from Humber Lane, from where the site is publicly visible.
4. The surrounding area is formed of dwellings set amongst farm and brewery buildings, within attractive countryside which is popular with tourists and locally designated as an Area of Great Landscape Value. The proposal seeks to remove existing storage structures, and a hedge which largely screens them from view, and erect a building with garaging for three vehicles and a self-contained holiday let set within the roof.
5. The building would have a traditional shape and use appropriate materials. However, its publicly visible north west elevation would be dominated by its wide garage door, below a row of rooflights and a central P.V array. These features, taken together, would lead the elevation to appear poorly articulated, which would cause the building to sit incongruously within the landscape.
6. This would not be offset by any reduction to visible vehicular parking within the site. As the building would not be screened, unlike the current containers, it would not be an enhancement compared to the existing situation. For these reasons, the scheme would fail to maintain landscape quality or minimise adverse visual impacts through high quality building design.

7. As such, the scheme would have a harmful effect on the character and appearance of the area. It would conflict with the design aims of Policies S1 criterion g), S1A, S2 criteria a), b), c), f), g) and k), S12, S22 criterion f) and EN2A criteria a) and d) of the Teignbridge Local Plan 2013-2033 (adopted 2014) (TLP), Policy BCS5 of the Bishopsteignton Neighbourhood Development Plan 2013-2033 (made 2017) and the National Planning Policy Framework (the Framework).

#### *Tourism development*

8. Although the appeal site is within an existing residential garden, it is for planning purposes within the countryside. Policy S12 of the TDL is the strategic policy for tourism development. Tourism uses located within the countryside are considered in detail by Policy E11 of the TLP, which is permissive of proposals which fulfil one of a closed list of criteria.
9. Whilst I note the appellant's personal circumstances during the summer, Humbercroft is a private dwelling and, in planning terms, not a tourist location or attraction. The scheme would not provide a new camping or caravan site, convert a building or provide farm diversification. As the holiday let would stand alone, physically detached from Humbercroft, it would not relate to it as part of a bed and breakfast enterprise. Given its design, it would not be innovative or unusual. As such, the proposal would not meet the related requirements set out within Policy E11.
10. The appellant has identified that the scheme would not introduce an unrestricted dwelling into the countryside, cause harm to heritage, biodiversity, highway safety or living conditions and that traffic movements would be modest. However, the absence of harm in relation to these matters weighs neutrally in my assessment. Whilst I note that Paragraph 83 of the Framework requires decisions to enable rural tourism development, this is predicated on such a proposal respecting the character of the countryside, which I have found would not be the case here.
11. Consequently, I conclude on this issue that the proposal would not provide a suitable location for tourism development. It would conflict with Policies S1 criterion g), S1A, S12 and E11 of the TLP and the Framework.

#### **Planning Balance and Conclusion**

12. The scheme would provide economic benefits by improving the offer of the local tourism industry and increasing tourist use of local facilities. The countryside location would provide leisure opportunities for occupants to cycle and walk. The building would also deliver improvements to Humbercroft. However, due to the small scale of the proposal these benefits would be modest. As such, they would not outweigh the harm to the character and appearance of the area and the conflict with the development plan that I have identified.
13. I therefore find that the proposal would conflict with the development plan when read as a whole. There are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, and taking all matters raised into account, I conclude that the appeal should be dismissed.

*Matthew Jones*

INSPECTOR