



Appeal Decision

Site visit made on 9 October 2019

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 November 2019

Appeal Ref: APP/U1105/W/19/3233707

Stafford Barton, Alaska Lodge, Swan Hill Road, Colyford EX24 6HE

- 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 Brian Langdon against the decision of East Devon District Council.
 - The application Ref 18/2611/FUL, dated 9 November 2018, was refused by notice dated 7 May 2019.
 - The development proposed is conversion and alteration of barns to form 2 (no.) residential dwellings and formation of associated parking areas.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have edited the description of development above to remove unnecessary reference to the site address.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, including the setting of Stafford Farmhouse, and Colyford Conservation Area (the Conservation Area).

Reasons

4. The building in question is a single storey agricultural structure of perhaps nineteenth century date, which, though described as 'barns', was clearly designed to house livestock. One corner of the building appears to have been removed, however the remainder retains a distinctive rectilinear layout and external form. This consists of 2 open-fronted sheds, with blind backs and pitched roofs, arranged parallel either side of, and facing onto an enclosed central yard. Use of rubble stone for construction of the walls is consistent with the vernacular of the local area, and reinforces the distinctive traditional appearance of the building. As such the building makes a generally positive contribution to the rural character and appearance of the area.
5. A dwelling, listed at Grade II as 'Stafford Farmhouse' (and therefore referred to as such below), stands towards the east of the site. The significance of Stafford Farmhouse lies partly in its historic function as a farmhouse, and this is indeed illustrated by the group of former agricultural buildings located immediately to its rear. The building subject of this appeal is located on higher ground, and is

- physically distinct from this group. A close visual relationship nonetheless exists between them, and the appellant further confirms their past association within his statement of case. For these reasons the building can be considered to form a component part of the historic agricultural setting within which the significance of Stafford Farmhouse is appreciated.
6. Stafford Farmhouse and the buildings to its rear are included within the Conservation Area, as too is part of the site. The building itself is however narrowly excluded. The significance of the Conservation Area resides particularly in the collection and layout of historic buildings along and adjacent to Swan Hill Road, amongst which Stafford Farmhouse is a prominent feature. In this regard, given the important role the building plays in the setting of Stafford Farmhouse, it is reasonable to consider that it in turn also makes a positive contribution to the setting and significance of the Conservation Area.
 7. The appellant indicates that public views of the site are limited. Be that as it may, the site can nonetheless be viewed by anyone using the access serving the buildings to the rear of Stafford Farmhouse, from within open spaces associated with these buildings, and from adjacent open farmland. From these locations the distinctive character of the building, as too its relationship with the group of buildings at Stafford Farm, is appreciable.
 8. The development would involve 'reinstating' the lost corner of the building, largely in-filling the central yard, adding 2 pitched roofs linking the 2 original/reconstructed sheds, and splitting the building in half. Whilst the change in internal character would be considerable, change would also be appreciable from outside the building, particularly on account of the addition of new sections of roof. In this regard the original layout and form of the building, would be greatly obscured, making clear interpretation of its historic agricultural function and character difficult. This would be exacerbated by linkage to a new lean-to structure, which would further erode the distinctive shape of the building; the provision of glazed openings in the external envelope of the building, which would domesticate its appearance; and the provision of plot boundaries, which would emphasise the subdivision of the building.
 9. Except in relation to reinstatement of the corner therefore, none of the alterations proposed would clearly conserve the historic functional character or appearance of the building. The harm caused to the building would in turn harm the positive contribution the building makes to the settings of both Stafford Farmhouse and the Conservation Area, and to the character and appearance of the surrounding rural area more generally. Given the appellant's additional confirmation that part of the proposed lean-to would encroach into the Conservation Area, the harm caused to the Conservation Area would be further accentuated by being made more direct.
 10. The proposed parking and outdoor amenity space would domesticate the immediate setting of the building. Scope would nonetheless exist to agree the specific details of site landscaping by condition, and further control could be reasonably secured by restricting householder permitted development rights. Each could limit the visual impact of potential domestication. I also note that some domestication of outdoor space within the general setting has already occurred as a result of past conversions. For these reasons, it is unlikely that the provision of outdoor amenity space and parking as part of the scheme would be unacceptably harmful in itself.

11. Removal of an old shipping container currently on site would provide some visual benefit. This could however presumably occur whether or not the development took place. Scope to remove the container as part of the development therefore lends little weight in favour of the scheme.
12. Mindful of the duties imposed by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), I find that the development would not preserve the setting of Stafford Farmhouse, or preserve or enhance the character or appearance of the Conservation Area. With regard to paragraph 196 of the National Planning Policy Framework (the Framework), I find that the development would cause less than substantial harm to the significance of each.
13. Having regard to the considerable importance and weight to be given to the statutory objectives of preservation of the settings of listed buildings, and preservation or enhancement of conservation areas, I attach considerable importance and weight to the harm that would arise. In this case the development would result in some repair of the historic fabric of the building, and some limited public benefit would attach to the provision of 2 new dwellings. These considerations would however be insufficient to outweigh the overall harm that would be caused by the development.
14. For the reasons outlined above I conclude that the development would cause unacceptable harm to the character and appearance of the area, including the setting of Stafford Farmhouse, and the Conservation Area. The development would therefore conflict with Policy D8 of the East Devon Local Plan 2013 to 2031 Adopted January 2016 (the Local Plan), which amongst other things requires that in re-use of rural buildings any alterations protect or enhance the character of the building and its setting; Strategy 7 of the Local Plan, which seeks to restrict development in the countryside, subject to other policies including Policy D8; Policy EN9 of the local Plan, which seeks to protect designated heritage assets in line with the Framework; and Policy EN10 of the local Plan, which seeks to preserve or enhance the appearance and character of conservation areas, including their settings.

Other Matters

15. The appellant states that the building could otherwise be converted under rights set out in Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Whether or not a real prospect for this exists however, the Council's prior approval would be required, and the appellant additionally indicates that the design would differ. As such, this fallback option does not provide justification for the harm that would be caused by the scheme as it is currently proposed.

Conclusion

16. For the reasons set out above, and having regard to all other matters raised, including Parish Council support, I conclude that the appeal should fail.

Benjamin Webb

INSPECTOR