
Appeal Decision

Site visit made on 7 January 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2020

Appeal Ref: APP/K1128/W/19/3235854

Redundant Barn, Gratton Farm, Loddiswell TQ7 4DA

- 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 Mrs E Perraton against the decision of South Hams District Council.
 - The application Ref 1383/19/FUL, dated 29 April 2019, was refused by notice dated 18 July 2019.
 - The development proposed is associated operational development to allow for change of use of building to flexible use (C1), following 0565/18/PAU.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted revised plans numbered 3160.48RevC and 3160.49RevC with the appeal. These plans show the omission of a rooflight; the use of solid rather than glazed doors; and the provision of foldable shutters over the windows on the front and side elevations. The council has had the opportunity to comment on the plans. They do not fundamentally alter the proposed development, so my consideration of the amended proposals would not prejudice the interests of those who were consulted on the original application.

Background

3. Change of use of the building, and any land within its curtilage, to a flexible use, which includes a use for C1 purposes, is permitted by Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). The council determined, through application reference 0565/18/PAU, that prior approval of the change of use was not required as to transport and highways impacts; noise impacts; contamination risks; and flooding risks.
4. The council has also determined¹ that prior approval was not necessary for change of use of the building to a flexible use (Class B1 and B8) under Schedule 2, Part 3, Class R of the GPDO. Planning permission was subsequently

¹ LPA ref: 0600/19/PAU

granted² for the associated operational development to allow for that change of use, but development has not proceeded.

5. The appeal proposals involve operational development to the building, including new walls, doors and windows and an external ramp, stairs and terrace, to allow the building to be used for C1 purposes. As the development goes beyond the Schedule 2, Part 3, Class R description of permitted development, planning permission is required.

Main Issue

6. The main issue is the effect of the development on the landscape character and appearance of the South Devon Area of Outstanding Natural Beauty (the AONB)

Reasons

7. The appeal site lies in open countryside, which is characterised by an undulating pastoral landscape, with traditional hedgerows, windswept trees and sporadic groups of agricultural buildings. The appeal building sits on the edge of one of these groups, at a higher level than the road that passes to the south west. The building can be seen from this road at the site entrance, and also from a point further along the road to the west. From these viewpoints, its lightweight construction allows views through to the countryside beyond. As it is a functional part of the agricultural landscape it sits comfortably in its surroundings, without harm to the character and appearance of the area.
8. The enclosure of the building with new walls would result in it being a much more solid presence in the landscape. Whilst metal cladding is often used on agricultural buildings, the domestic scale openings in the end and front elevations would be distinctly residential in character, and would be at odds with the scale and proportions of the building. Consequently, the resultant building would appear incongruous in its agricultural setting. The appellant states that the amount of glazing is less than previously proposed for a residential conversion that was dismissed on appeal³. Nevertheless, it is more than would be characteristic of an agricultural building in this very rural landscape.
9. Although the proposed terrace would be constructed in local stone, it would not be a typical feature of an agricultural building. Such a structure would be more usually associated with a residential use. Its uncharacteristic nature would be highlighted by the likely placement of tables, chairs and other paraphernalia associated with a guest house use. The resultant building would therefore be a more dominant and incompatible feature in the landscape, resulting in harm to its character and appearance.
10. The building does, however, already benefit from planning permission for conversion to B1/B8 use. There is no evidence to suggest that the permission would not be implemented if I were to dismiss the appeal. It is therefore a significant material consideration. The approved conversion would also result in a solid building, but it would have a less domestic appearance, and would therefore sit more comfortably in its agricultural setting. Although the appellant

² LPA ref: 0271/19/FUL

³ Appeal Decision APP/K1128/W/18/3200210

remarks that the B1/B8 conversion allows for a greater area of openings, this is principally due to the large roller door in the end elevation and a series of rooflights. Both features are commonly found in agricultural buildings, and consequently the approved building would retain a utilitarian character, in keeping with its rural surroundings.

11. The appellant contends that the building is well-screened from the wider landscape by trees and hedges, but I saw that the domestic appearance of the resultant building would be readily apparent from the road passing the site. Foldable shutters over the windows would go some way towards masking the residential character of the building, but only when they were closed. As the windows would serve habitable accommodation, it is unlikely that the shutters would be closed when the building was occupied. Consequently, they would not provide a permanent means of mitigating the incongruous appearance of the building.
12. I therefore conclude that the alterations would result in a building that has a detrimental impact on its undeveloped agricultural setting, due to its more solid presence and uncharacteristically residential character. As a result, the proposals would harm the appearance and character of the AONB. The development would therefore be contrary to Policies SPT12, TTV26, DEV20, DEV23 and DEV25 of the Plymouth and South West Devon Joint Local Plan (2014-2034) (the Local Plan). These policies seek, amongst other things, to protect the special characteristics and role of the countryside; to conserve and enhance the landscape and ensure that development contributes positively to it; and to protect the AONB from damaging or inappropriate development. The proposal would also be contrary to the advice contained in paragraph 172 of the National Planning Policy Framework (the Framework), which requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs.

Other Matters

13. The council has included Policy DEV2 of the Local Plan in its reason for refusal. However, the proposed development would not have a significantly greater impact on light pollution than the permitted B1/B8 use, so I find no conflict with this policy.
14. Policy TTV26 of the Local Plan allows for the re-use of traditional buildings that are structurally sound enough for renovation without significant alteration. The appeal building is not traditional, and significant works of alteration are necessary to bring about the proposed use, so the development is not supported by this policy. I am aware that the adjacent buildings have an extant consent for conversion to residential use, but these buildings are already of solid construction with domestic scale openings. That building also has a much lower profile, so is less readily visible from public vantage points. I therefore give this permission limited weight.
15. I am mindful that the proposal would provide economic benefits through employment and increased tourist spending in the locality, which weighs in favour of the development. However, the Framework requires that I should give great weight to the harm that I have found to the character and appearance of the AONB. I therefore find that the benefits do not outweigh this harm.

Conclusion

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

Nick Davies
INSPECTOR