



Appeal Decision

Site visit made on 13 May 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 June 2020

Appeal Ref: APP/U1105/W/20/3246094

**Monkton Park Farm, Road from Colliton Cross to Haskins Cross,
Payhembury EX14 3HY**

- 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 & Mrs Whiting against the decision of East Devon District Council.
 - The application Ref 19/1119/FUL, dated 23 May 2019, was refused by notice dated 13 August 2019.
 - The development proposed is removal of two barns, renovation of existing C20 building with two extension wings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the location of the development, with regard to local and national policies that seek to promote accessibility and minimising the need to travel by car; and
 - whether the proposal would enhance the character and appearance of the building and wider area.

Reasons

Location of development

3. The appeal site, comprising of two small rural buildings sited in close proximity to one another, adjoins Monkton Park Farm. The buildings lie a short distance from the small settlement of Payhembury. Payhembury does not have a Built Up Area Boundary (BUAB) as defined by Strategy 6 of the East Devon Local Plan 2013 – 2031 (Local Plan) (adopted 2016) and the accompanying Proposals Maps. The site lies outside of any defined BUAB and is therefore considered to be in the open countryside, to which Strategy 7 relates.
4. Local Plan Strategy 5B requires, amongst other things, that new development should be located where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, car sharing and public transport.
5. Local Plan Policy D8(5)(c) relates to rural buildings outside of settlements and requires that development to be located close to a range of accessible services and facilities to meet the everyday needs of residents. Clearly, the sustainable transport options in such rural areas will vary from those available in urban

areas; as also recognised by the National Planning Policy Framework (the Framework) (2019).

6. Despite its countryside location, the appeal site is a short distance to the nearest small settlement of Payhembury. Whilst the Local Plan does not seek to provide any housing growth to the village over the plan period, the recently made Payhembury Neighbourhood Development Plan 2017 – 2031 (PNDP) (made June 2019) seeks to accept a modest degree of housing growth within the settlement boundary, subject to a range of criteria. The PNDP does not set out any specific policies that relate to the conversion of buildings beyond the settlement boundary defined therein.
7. However, the PNDP sets out that the village now has a shop and limited post office service; facilities that were not available when the Local Plan was adopted. The village also benefits from other facilities, including a school, public house and village hall. Whilst the number and routes of the local bus service are limited, I also note that the nearby settlement of Feniton has a railway station that connects with mainline services and is only a short distance away by road.
8. Although the location, as with most rural places, would almost certainly require regular use of a vehicle, it is not unduly remote. The journeys to the village, for the purpose of a minor shopping trip or for journeys to or from school, would at least be short in distance. Furthermore, despite the typically rural nature of the roads, there are potential opportunities for walking and cycling into the village from the appeal site given the short distance and limited gradient change. As such, For a rural building, which would by its very name, be identifiable as being rurally located, the siting of the appeal building offers reasonable access to a range of facilities and offers opportunities to promote sustainable modes of transport, including walking and cycling.
9. In view of this main issue, the location of the development is consistent with Local Plan Strategies 5B and D8(5)(c), and the Framework, in terms of promoting accessibility and minimising the need to travel by car.

Character and appearance

10. The appeal buildings are modest in scale and simple in form. The larger of the buildings has a domestic appearance alike that of a plain pitch roof bungalow. The smaller 'stable' building is single storey and linear in form with features more consistent with its age and agricultural function.
11. The proposal seeks to remove the smaller stable block and retain the larger pitched roof building and add two new extensions. The combined floorspace of the extensions would be smaller than that of the demolished buildings and the enlarged building would provide for a single storey dwelling with double head height over the main kitchen and living room, and bedrooms sited within opposite 'wings' of the building.
12. Owing to the collective scale, siting and form of the extensions, but particularly owing to the extension to the south-west, the resultant dwelling would appear disjointed, with the building mass appearing modular and blocky. The use of differing external materials for the component parts of the building would also emphasise the bolt-on appearance of the extensions. Whilst the existing building scale and form may present a challenge in terms of achieving a high

- quality design solution, the current proposal would detract from the simple character of the building and introduce a discordant feature into the area.
13. The removal of the stable block would not materially diminish the quality of the landscape to a degree that would necessitate its preservation, although the retention of part of the stone walls is logical and in the interests of the area's established qualities. Nonetheless, the current scheme would result in a more exposed and more obviously modern, domesticated building that could not be said to enhance the area's rural characteristics.
14. Whilst I note that the extensions to the building would be low in height in order to reduce the visual impacts from longer viewpoints, this in itself does not obviate the need to ensure that the works enhance the character of the building itself, along with its immediate and wider setting. Though I also note that the rationale for the scale, massing and design of the extensions has sought to avoid a greater degree of impact than other recent proposals nearby, considered on its own merits, the proposal would not enhance the character of the building or wider setting.
15. In view of this main issue, the proposal does not comply with Local Plan Policies D1 and D8. These Policies, when read together, seek to ensure new development is acceptable in terms of scale, massing and materials, and enhances the rural setting and character of the building.

Other Matters

16. The appellant refers to a potential fallback position involving the conversion of the buildings to two separate dwellings under Class Q of the Town and Country Planning (General Permitted Development) Order 2015. Though there is an absence of definitive evidence, without extensions to the building/s, there is a prospect that they could benefit from Class Q rights. However, the potential fallback position would not alter my finding in respect of the harm to the character of the building and its setting in any event.
17. I note the Parish Council's general support for the scheme. I also note the appellants' concerns that the Council did not engage proactively with them in determining the appeal application. The suggestion of bias or deliberate delay on the part of the Council is not apparent from the submitted evidence, but in any case, does not affect my findings on the merits of the case.

Planning balance and conclusion

18. I have found the location of the appeal site to be acceptable in the context of a rural conversion scheme. However, this factor, along with the limited economic and social benefits from the addition of a dwelling to the local housing stock, does not outweigh the harm to the character of the building and its setting, contrary to the Development Plan.
19. For these reasons, and taking into account all other matters raised, the appeal is dismissed.

Hollie Nicholls

INSPECTOR