The Planning Inspectorate

Appeal Decision

Site visit made on 9 February 2021 by Christian Ford BA (Hons) BTP MRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2021

Appeal Ref: APP/K1128/W/20/3262333
Barn at Higher Soar, Higher Soar Farm, Marlborough, Kingsbridge, Devon TQ7 3DS

- 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 John Sampson against the decision of South Hams District Council.
- The application Ref 1111/20/FUL, dated 17 March 2020, was refused by notice dated 22 July 2020.
- The development proposed is change of use of an agricultural building to a residential dwelling.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a Planning Decision Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development conserves and enhances the landscape and scenic beauty of the South Devon Area of Outstanding Natural Beauty (AONB), is consistent with and conserves the special character of the Heritage Coast, and its effect on the character and appearance of the undeveloped coast.

Reasons for the Recommendation

4. The site is set within an expanse of relatively flat and open agricultural land to the south east of the hamlet of Soar. It falls within the designated South Devon AONB, Heritage Coast and undeveloped coast. The landscape character type of the wider area is `Open Coastal Plateau' and the locality strongly reflects many of its defined valued attributes, especially the `remote windswept character of the high open plateau.' The landscape character and visual amenity of the immediate area is therefore of a particularly high quality. While the site is an isolated part of the countryside, it is visible from the hamlet, a number of public footpaths and a road that passes the site which gives access to the National Trust's East Soar car park.

5. As there is no clearly defined boundary to the west, the site visually forms part of a larger agricultural field. It accommodates a disused single storey

agricultural barn in the southern part of the site and a concrete area of hardstanding in the north. The barn is of an unconventional form and appearance in comparison to the apparent traditional local vernacular of fairly simple stone buildings with slate roofs, as observed in the wider area. Reflecting its origins as a World War II era open top bunker to store unexploded bombs, the walls are constructed of sectional concrete with sloping `battered' faces. It has a later timber frame roof which is terracotta tiled. The roof form is hipped at one end while the other end is a timber faced asymmetric gable with an additional set back element on one side. The only formal opening is beneath the gable and it has similar dimensions to that of a double garage door.

6. Although the building is currently in a poor state of repair with the metal reinforcement within the concrete exposed in places and some of the panels having fallen, it does not detract from the character of the area as dilapidated rural buildings are not an uncommon feature in the countryside and instead add to its rural charm. Therefore, while the proposed residential conversion would address the current condition of the building, this in itself would not be of direct benefit to the character of the rural landscape.

7. The proposed new window and door openings in the walls and the roof, as well as the glazing of the current large opening, would fundamentally change the existing utilitarian character of the building. Notwithstanding the neighbouring hedgerow and the proposed new hedgerows, its domestic use would be appreciable from several public vantage points. Moreover, alongside the proposed repair, replacement and general tidying up of the exterior, the changes would inevitably give the building a more modern appearance. In combination with the building's unconventional form, as described above, the overall outcome would be a visually muddled dwelling with a particularly poor design quality. The suggested option of replacing the terracotta tiles with natural slate would have a similar outcome. Therefore, the resulting incongruous character and appearance of the dwelling would cause significant harm to the scenic beauty of the area.

8. Furthermore, a sizeable domestic curtilage would be created and the existing access formalised. There would also be a parking area and the regular parking of domestic vehicles and other domestic paraphernalia would naturally arise. While the curtilage would be defined on three sides by a new Devon hedgebank, which is a common feature in the AONB, the ensuing enclosure, with further subdivision and enclosure within the site through additional hedgerows, would have an adverse impact on the distinctive open plateau character of the locality. The resulting domestication and enclosure of part of the open countryside, in an isolated location, would therefore cause significant harm to the landscape character and natural beauty of the area.

9. While acknowledging the submitted Landscape and Visual Impact Assessment (LVIA) came to a different view, it is concluded, for the reasons set out above, that the proposed development would have an adverse effect on the character and appearance of the area. It would not conserve and enhance the landscape and scenic beauty of the AONB, would be inconsistent with and would not conserve the special character of the Heritage Coast and would harm the character and appearance of the undeveloped coast.

10. The development would conflict with Policies DEV23, DEV24 and DEV25 of the 2019 Adopted Plymouth & South West Devon Joint Local Plan. The policies seek to ensure development conserves and enhances the natural beauty of the landscape with particular reference to its special qualities, distinctive characteristics and valued attributes.

11. It would also conflict with paragraph 172 of the National Planning Policy Framework (`the Framework') which sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Additionally, it would conflict with paragraph 79 (part c) of the Framework which requires the residential re-use of such disused buildings to enhance their immediate setting.

12. The appellant refers in detail to Policy DP16. However, they accept the policy has been superseded. As such, it does not form part of the development plan and I have had no regard to it.

Other Matters

13. Given its war time origins, the building is recognised by the Council and Devon County Council to be a non-designated heritage asset. However, it is of marginal interest. Therefore, the heritage benefit of maintaining the building through the proposed residential conversion carries little weight and paragraph 79 (part b) of the Framework is not an overriding consideration.

14. It is acknowledged the development would provide an additional 2 bedroom dwelling for which there is an identified local need and its rental would give the appellant a diversified income alongside his farming business. There would also be biodiversity enhancements as detailed in Sections 5 and 6 of the LVIA, the most significant being the proposed hedgerow planting and the establishment of neighbouring wildflower verges. However, given the small scale of the development, these benefits only attract limited weight and they do not outweigh the great weight that the Framework specifies should be given to conserving and enhancing landscape and scenic beauty in AONBs.

15. The appellant has drawn attention to three cases where planning permission was granted for the residential conversion of an agricultural building within the AONB. However, from the limited information put before me, there is no indication that they were similarly sited in a comparably open and isolated part of the Heritage Coast and undeveloped coast, nor are there any details of the appearance of the developments. In any case, the appeal proposal has been considered on its own merits.

Overall Conclusion and Recommendation

16. The identified harm to the character and appearance of the area and the landscape means the development would not be in accordance with the development plan when considered as a whole.

17. As outlined above, the development would provide some positive benefits. However, given the small scale of the development, the benefits only attract limited weight. Consequently, it is found that material considerations would not outweigh the identified conflict with the development plan.

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Christian Ford

PLANNING DECISION OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Planning Decision Officer's report, and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR