



Appeal Decision

Site Visit made on 5 July 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal Ref: APP/U1105/W/21/3271915

Devenish Pitt Farm, Sandpit Hill, Farway, Colyton EX24 6EG

- 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 and Mrs R and M Banks against the decision of East Devon District Council.
 - The application Ref 20/2177/FUL, dated 7 October 2020, was refused by notice dated 7 January 2021.
 - The development proposed is change of use of a rural building and erection of an extension to form 3no. holiday lets, with associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on character and appearance of the area.

Reasons

3. Strategy S7 of the East Devon Local Plan 2013-2031 (LP) seeks to ensure that the distinctive landscape, amenity and environmental qualities of the countryside within which development is located are not harmed. These include manmade features such as rural buildings. Development in the countryside is strictly controlled and only permitted where it accords with specific development plan policies. LP Policy E16 permits the conversion of existing buildings for small-scale holiday uses and LP Policy D8 sets out a criteria-based approach to considering proposals for building re-use.
4. Policy D8 requires, amongst other things, the new use to be sympathetic to, and enhance the rural setting and character of the building. The building must be capable of conversion without the need for substantial extension, alteration or reconstruction. This proposal would include a single storey extension which has been designed to be subservient to it and reminiscent in form to a traditional lean-to addition. The use of materials would be sympathetic.
5. However, the extension would change the character of the building such that it would be overtly domestic. The use of extensive glazing may have been an approach deployed in the conversion of an existing open fronted lean-to if one existed, but the proposal does not respect the unbroken walls that form the countryside facing elevations of this existing building. While the proposal may well be within the domestic curtilage of the farmhouse, with the windows of other residential buildings and domestic paraphernalia visible in views across

the valley, the barn retains a robust quality, contributing to the character of the area, that would not be preserved.

6. The LP does not define a substantial extension. My attention has been drawn to policies concerning the control of development in the Green Belt in other local planning authority areas. These, in part, set thresholds for when development may be considered a disproportionate addition. Disproportionate, however, has not been shown to equate to substantial and these policies have little relevance to the control of development in the East Devon countryside.
7. There is no dispute that just under a third would be added to the volume of the building. The extension would host a significant proportion of the ground floor accommodation and living space, and, with regard to the effect on the appearance of the building, I find that the extension would be substantial. It, therefore, does not have the support of Policy D8.
8. The development plan must be read as a whole, so I find that Policy D8 plays a supporting role to Strategy S7 and Policy E18 in ensuring that development involving existing rural buildings does not harm the distinctive qualities of the countryside. This is also one of the aims of LP Policy D1. Notwithstanding the thoughtful design, therefore, I find that the proposal would conflict with the development plan read as a whole.
9. There is an existing caravan at the site alongside the barn. It is clearly visible in the landscape and is somewhat incongruous. Its removal to facilitate the scheme would be of some benefit, but this would be nullified by the overtly domestic appearance of the extension. It may be possible to exercise permitted development rights to carry out some development at the site, but it has not been shown that such is likely, nor that it would have a comparable effect to that proposed. It is, therefore, of little weight in my decision.
10. I appreciate that the proposal seeks to facilitate farm diversification, which is encouraged by local and national policy, at a time where agriculture may be facing uncertainty. However, the extent to which this would benefit the existing business at the site has not been explicitly stated, so I give it limited weight. There would be economic benefits associated with the proposed use, but although UK tourism may see an increase over the coming years, the benefits would be modest given the relatively small scale of the development. As such, these benefits receive moderate weight.
11. The proposal is contrary to the development plan, read as a whole. Material considerations, including the benefits, are insufficient to indicate otherwise that permission should be granted.
12. Therefore, the appeal is dismissed.

M Bale

INSPECTOR