

Appeal Decision

Site visit made on 10 May 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2022

Appeal Ref: APP/Y1138/W/21/3271901

Land at NGR 306760 119356 (East of Battens Cottage) Holcombe Rogus Devon

- 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 Peter Heywood against the decision of Mid Devon District Council.
 - The application Ref 20/02137/FULL, dated 15 December 2020, was refused by notice dated 3 March 2021.
 - The development proposed is erection of storage building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the proposal is reasonably necessary for the purposes of agriculture; and,
 - the effect of the proposal on the character and appearance of the area, with reference to the settings of the Grade II listed buildings 'Burrow Farmhouse and adjoining cottage', 'Barn and cow house approximately 8 metres west of Burrow Farmhouse', and 'Stables approximately 12 metres north of Burrow Farmhouse' (hereafter together called Burrow Farm).

Reasons

Agricultural need

3. Amongst other things, Policy DM20 of the Mid Devon Local Plan 2013 – 2033 (adopted 2020) (MDLP) permits new agricultural development in the countryside where it is reasonably necessary to support farming activity on that farm or in the immediate agricultural community.
4. In this case, the appellant is a farmer that wishes to begin a new farm on the land outlined in the plans, which comprises some 7.59ha and which has its own county parish holding number. Given the amount of land within the appellant's control, it is logical for need to arise for a building to provide secure storage of machinery and fodder related to agricultural activity likely to take place.
5. However, I note the Council's concerns as to the large scale of the building as proposed. Whilst I understand the appellant's circumstances and desire to begin the business, the appellant has not explained the detailed intentions for

the holding nor specified the nature or purpose of the machines to be stored, or the amount of fodder storage space required. As such, the level of detail at my disposal does not avail me to the conclusion that a building to the size proposed is reasonably necessary to support activity on the proposed farm or in the wider community.

6. I therefore conclude on this issue that the proposal would not be reasonably necessary for the purposes of agricultural. In this regard, it would conflict with Policy DM20 of the MDLP.

Character and appearance

7. The site is part of a field which slopes gently south-westwards down towards the public highway and the dwelling Battens Cottage, which appears to be a barn conversion of some vintage. To the north, immediately beyond an access lane and a tree belt, is Burrow Farm. I therefore have a duty to consider the impact of the proposal on the special architectural and historic interest of the listed buildings which derives from their settings.
8. Mapping shows that there has been little change directly around the site since at least the nineteenth century. Battens Cottage, the lanes, the fields and the tree belt remain in their places. As one approaches Burrow Farm from the southeast, these elements combine to form an attractive, bucolic composition, with the farmhouse peering through the trees to command the presence of Burrow Farm. I note that a large barn has been erected just to the north of Battens Cottage, but it causes only limited disturbance as it has a peripheral position in these views and is partially obscured by the dwelling.
9. As part of a field in a central and prominent position within this scene, the appeal site makes a positive contribution to the forward settings of the listed buildings at Burrow Farm. It follows that the introduction of a domineeringly large, modern building centrally within the approach to the farmstead would have a harmful effect on the significance of the listed buildings within it.
10. The appellant has suggested that the building could be sited further south. However, I must assess the building positioned as it is shown on the associated plans. Likewise, given that the openness and gentle relief of the field is what leads it to contribute positively to the settings of the listed buildings, I do not find that the harms that would arise could be resolved with screen planting.
11. Each incidence of harm would be less than substantial. Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 goes on to require decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme.
12. The public benefit that would arise would be through the support of the rural economy. However, given the potential that a, perhaps smaller, building in a more sympathetic place could also contribute towards this objective, the public benefits of the scheme do not outweigh the harm to each listed building.
13. Consequently, I conclude on this issue that the proposal would have an unacceptable effect on the character and appearance of the area, with reference to the settings of the listed buildings at Burrow Farm. The proposal would conflict with the landscape and heritage aims of Policies S9, S14, DM20 and DM25 of the MDLP and the Framework.

Other Matters

14. The Council is concerned about the impacts of the proposal on the occupants of Battens Cottage with regard to noise and smells. However, the noise and smell implications of machinery and fodder storage would be negligible within this rural context, particular given that a road already carries vehicles, logically including farm machinery, directly past Battens Cottage. The appellant has clarified that livestock storage is not intended, and thus this matter could have been addressed with a condition, had I been minded to allow the appeal.

Planning Balance and Conclusion

15. The proposal would conflict with the development plan when read as a whole and there are no other considerations that would outweigh that conflict.
16. For the reason outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR