



Appeal Decision

Site visit made on 16 May 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2023

Appeal Ref: APP/Y1138/W/22/3313834

**Hill Park Farmhouse, Road Heading Southwest from Penslade Cross,
Uffculme, Devon EX15 3BJ**

- 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 Tim Cordy against the decision of Mid Devon District Council.
 - The application Ref 22/01670/FULL, dated 25 August 2022, was refused by notice dated 14 November 2022.
 - The development is described as 'Conversion of an existing barn into a dwelling at land at Hill Top Farm Farmhouse, Uffculme'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site provides a suitable location for the proposed development, having regard to the Council's spatial strategy.

Reasons

3. The appeal site comprises an existing barn and ancillary buildings in a large plot. The building has a simple, utilitarian, and typically rural appearance, which is characteristic of its use. It is located roughly to the north-east of Uffculme. The site is adjoined by agricultural land, woodland, and gardens to residential dwellings and is not subject to any landscape designations.
4. Both parties agree that the appeal site lies outside of the defined settlement for Uffculme and I have no reason to disagree. The site is therefore located within the countryside for planning policy purposes. As a result, the site is in an isolated location in terms of paragraph 2.82 of the Mid Devon Local Plan (2013-2033) (LP). The site is detached from the main settlement of Uffculme adjoined by a woodland that creates a rural setting to the site.
5. Policy S14 of the LP restricts development in the countryside to employment, agricultural and other appropriate uses, including the residential conversion of appropriate existing buildings. In relation to this Policy DM9 of the LP provides criteria against which the conversion of rural buildings will be assessed.
6. Policy DM9 of the LP supports the conversion of redundant or disused rural buildings of substantial and permanent construction which positively contribute to an area's character, subject to specific criteria. The criteria include creation of a suitable access without damaging the surrounding rural area's character; that the building can be converted without significant alteration or extension;

that the design will retain the original character of the building and its surroundings; and that the development will retain any nature conservation interests associated with the site or building and provide net gains in biodiversity where possible.

7. The appellant has advised that the building is underused, no longer required and capable of conversion. There is little evidence to dispute this. As such, the building can be deemed redundant. However, and whilst the building is of substantial and permanent construction, due to its agricultural appearance, prominence from the road, scale and finish in metal sheeting, it does not positively contribute to the area's rural character. I note that the appellant agrees that the building does not positively contribute to the area's rural character.
8. Although I find that the development would use an existing suitable access; could be converted without significant alteration; would retain the original character of the building and its surroundings; and retain nature conservation interest and could provide net gains in biodiversity, there is conflict with the key requirement of Policy DM9 of the LP as the existing building does not positively contribute to the rural character of the area.
9. Policy S1 of the LP seeks to achieve development that supports the creation of sustainable communities with development focused in the most sustainable settlements reducing the need to travel by car. In relation to this I appreciate the appellants argument that the new dwelling at the site would have access to services and facilities, including those in Uffcolme and nearby at Willand, Tiverton Parkway, to the M5 and with public rights of way and bridleways near the site. However, whilst there are a range of service and facilities at Uffcolme, the appeal site is a considerable distance from them only accessible via a gently sloping narrow unlit lane without pavements. The site is on a bus route with a bus stop nearby in the village, but pedestrians travelling to the bus stop and elsewhere would still be likely to need to travel along the lane. Given the character of the highway from the appeal site to the village, and given the distance, I find that it would be unattractive to pedestrians, cyclists, and other road users, particularly those with mobility issues, even acknowledging the lack of recorded accidents. Occupiers of the dwelling would therefore be likely to be dependent on private vehicles to access services.
10. Similar to Policy S14 of the LP, Paragraph 80 of the National Planning Policy Framework (the Framework) seeks to avoid isolated homes in the countryside unless one or more of the stated set of circumstances apply. One of these circumstances relates to the re-use of redundant or disused buildings that enhance its immediate setting. By reason of the remote distance from to the settlement of Uffcolme, and despite the presence of some intervening built form, the site is isolated in terms of Paragraph 80 of the Framework.
11. Whilst the proposal would re-use the building, and is adjoined on one boundary by other dwellings, it would involve the introduction of windows, doors and balcony that would lead to the domestication of the building. Along with the provision of timber or Cedral cladding, and introduction of a dwelling in this location, it would alter the character and appearance of the building and this rural site and mark a stark contrast from the existing simple form of the building. Moreover, the dwelling would include an associated increase in domestic paraphernalia, with the effect of eroding the rural character of the

immediate area, despite increased planting. As a result, the proposal would not result in an enhancement to the buildings immediate setting, even acknowledging that the buildings appearance could deteriorate in the future. Therefore, Paragraph 80 of the Framework does not alter my findings on the main issue.

12. Paragraph 79 of the Framework indicates that new housing should enhance or maintain the vitality of rural communities and enable villages to grow and thrive. Although close to the edge of Uffcolme, the lack of access other than via motor car limits the likely contribution of the development to the village and surrounding villages.
13. Given the above, I conclude that the appeal site would not provide a suitable location for the proposed development having regard to the Council's spatial strategy. As such, the proposal would conflict with Policies S1, S14 and DM9 of the LP which, amongst other matters, seeks to direct development to defined settlements, create safe and accessible environments and reduce the need to travel by car. These policies are broadly consistent with the Framework and consequently the proposal would also be contrary to the provisions of the Framework, which seeks, amongst other things, to enable appropriate sustainable rural development as well as promoting sustainable transport and opportunities for walking, cycling and public transport use.

Other Matters

14. The lack of harm to neighbouring occupiers, no increased footprint of development, and lack of coalescence with other built form, all carry neutral weight for the purposes of my assessment. As does the receipt of council tax from an additional dwelling, lack of risk from flooding and the lack of objections from the Parish Council, public or neighbours
15. I acknowledge that the development would provide some social and economic benefits from a new family dwelling and additional residents in close to the appellants existing family, make an efficient use of the site, increase the supply of housing, be near carbon neutral and result in some biodiversity net gain enhancements given its low ecological value. However, given the scale of the scheme these benefits would be small, and I therefore attach limited weight to them.
16. The appellant states that there are other barn conversion nearby that are more isolated and been granted planning permission. However, I have very limited information in relation to this. I have therefore determined the appeal on its merits.

Conclusion

17. For the reasons given above I conclude that the proposal conflicts with the development plan taken as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, the appeal is dismissed.

C Rose

INSPECTOR