



Appeal Decision

Site visit made on 22 August 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2023

Appeal Ref: APP/K1128/W/23/3318263

Barn Park, Kellaton Cross to Coles Cross along Zc247, East Allington, Devon TQ9 7PY

- 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 Harvey against the decision of South Hams District Council.
 - The application Ref 3659/22/FUL, dated 19 October 2022, was refused by notice dated 23 December 2022.
 - The development proposed is replacement dwelling following grant of Class Q, demolition of barn subject to Class Q prior approval, change of use of land to domestic curtilage, detached garage, use of alternative existing access with alterations and permeable driveway, site landscaping works and installation of non mains drainage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposed development would be in a suitable location for housing, having regard to the character and appearance of the area; and (ii) whether the proposed development would accord with policies related to reducing carbon emissions.

Reasons

Whether the development would be in a suitable location

3. The appeal site is located within a very rural area that is largely characterised by scattered farmsteads and associated dwellings of a traditional appearance, set within attractive gently rolling countryside. Policy TTV1 of the Plymouth & South West Devon Joint Local Plan 2014 – 2034 (LP) sets out that, within smaller villages, hamlets and the countryside, development will only be permitted if it conforms, among other things, with the requirements of Policies SPT1, SPT2 and TTV26.
4. Policy SPT2 requires new development in rural areas to be situated in sustainable locations, including having reasonable access to local services and facilities. In terms of the appeal scheme, the countryside location of the site means that it is situated some distance from local facilities, and in my view, this does not represent 'reasonable access' as required by the policy.
5. The Council has confirmed that it is satisfied that the proposal would not constitute isolated development. I agree with this position given that the appeal site is close to a small number of existing buildings. However, LP Policy TTV26(2)(vi) requires that new development should help enhance the

immediate setting of the site, while Policies SPT1(3)(v) and SPT2(10) seek to ensure that local character and distinctiveness is respected.

6. At present the site forms a farmyard area with two agricultural barns. Its appearance reflects the very rural nature of the surrounding area. By contrast, the proposed development would involve the demolition of one existing barn and the construction of a relatively substantial two-storey dwelling, a car port and a long access track. The dwelling would have certain design features that would accord with local character, such as stone walls at ground floor level and a slate roof. However, the substantial amount of glass, including patio doors and Juliet balconies on the principal elevation, would mean that it would be perceived as a very modern looking dwelling which would appear incongruous and out of keeping with its surrounds.
7. In floorspace terms, the proposed dwelling would not be significantly larger than the barn that is proposed for demolition. However, its additional height, in combination with the car port, would provide a clear perception of there being a greater amount of built form on the site than at present, with a consequential erosion of the very rural character in the immediate area. The site is well screened and is not easily visible from public land. However, while this may reduce the harm, it does not prevent it completely. In addition, the long access drive, which would be located across an existing field, would be a fairly prominent feature which again would reduce the current feeling of rurality that exists. Indeed, while there is currently an access gate into the field, the provision of a bin store, and likely signage, along with the access road, would mean that it would be perceived as a residential driveway rather than a farm track. The harm would be exacerbated by the removal of a small area of hedgerow to help facilitate the access.
8. As a result, I conclude that the proposed development would not be in a suitable location, and that it would cause harm to the character and appearance of the area. It therefore conflicts with LP Policies SPT1, SPT2, TTV1 and TTV26, the relevant aspects of which I have described above. I am satisfied that there would be no conflict with paragraph 80 of the National Planning Policy Framework (the Framework), given that the proposal would not result in an isolated home.

Carbon emissions

9. The appellant's design and access statement sets out some of the design features of the proposed dwelling that would help reduce carbon emissions. These include photovoltaic panels on the south facing roof and highly insulated walls and windows. Neither LP Policy SPT1, Policy DEV32 or section 14 of the Framework set out any standards or targets, but they do seek to ensure that new development is sustainable, including measures to reduce carbon emissions.
10. In this instance, it is my view that the proposed development would achieve these aims. In the absence of any substantive evidence to the contrary, I therefore conclude that there would be no conflict with LP Policies SPT1 or DEV32. There would also be no conflict with section 14 of the Framework.

Other Matters

11. The large barn that is proposed for demolition currently benefits from approval to convert it to a dwelling under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. The plans for this scheme form part of the appellant's appeal statement. Given the Council's approval, it is reasonable to conclude that there is a greater than theoretical prospect of that development coming forward. However, the general appearance of the single storey barn strongly conforms with the rural character of the area. While it is inevitable that external changes would be required to convert it to a dwelling, it is highly likely that its existing character would remain. It would therefore be much more in keeping with the character and appearance of the surrounding area than the proposed new dwelling would be. Furthermore, the permitted development would not involve the provision of a car port or long access drive, thereby helping to maintain the rurality of the area. In my view, it is therefore clear that the appeal scheme would cause significantly more harm in relation to character and appearance.
12. The appellant has set out that the appeal scheme would provide better living conditions for future occupiers than the fallback. However, the provision of a single storey dwelling may actually be more attractive to some people and so this argument holds little weight in my decision making. Furthermore, I have no substantive evidence before me that the existing access to the site is dangerous and therefore the issue of highway safety is a neutral consideration. It is also not clear why the planting of new hedgerows and other vegetation could not occur without the appeal scheme being approved.
13. It is likely that a new dwelling would be more energy efficient than the converted barn, and if considered in isolation, the scheme would provide one additional dwelling with the associated economic benefits that would bring. However, given the small-scale nature of the proposal, the combined benefits are very limited and do not overcome the harm that I have identified.
14. The appellant has provided details of an approved scheme for two dwellings nearby at Coombe Farm. However, that scheme appears to be quite different given that the plans show that the dwellings would have timber cladding and a steel roof. As a result, their appearance would conform with the rural character of the area much more strongly than the appeal proposal before me and it is therefore not directly comparable.

Conclusion

15. I have found that the appeal proposal would cause harm in relation to the location of the proposed development, taking account of character and appearance. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have found no harm in relation to carbon emissions. There are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR