



Appeal Decision

Site visit made on 11 October 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2023

Appeal Ref: APP/P1133/W/23/3314512

Swallows Rest, Road from Purcombe Cross to Lake Cross, Woodland, Ashburton, Devon TQ13 7LW

- 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 Clive Comber against the decision of Teignbridge District Council.
 - The application Ref 22/00432/FUL, dated 25 February 2022, was refused by notice dated 16 November 2022.
 - The development proposed is the change of use and conversion of stable building into a holiday letting unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the application the appellant requested that the name of the applicant be amended. I have therefore used the amended details in the heading of this decision rather than the details given on the application form.

Main Issues

3. The main issues are, firstly, the effect of the proposed development on the character and appearance of the area, and secondly, whether the development would comply with local planning policy with regard to whether it would involve the conversion of a permanent and soundly constructed building.

Reasons

Character and Appearance

4. The appeal site forms part of an existing field in a rural, tranquil and verdant part of the countryside, close to an existing cluster of traditional stone-built buildings. The Council's Landscape Character Assessment (2019) which identifies that the site is located within the 'Denbury Down' character area, sets out that among other things, the wider area is characterised by distinctive hills and a patchwork of fields and hedgerows. It recommends that the strong sense of tranquillity should be preserved and that the existing vernacular character should be reflected in new development.
5. The proposed development is to convert an existing stable building into a holiday let. While clearly recently built, the existing building has a wooden exterior, large doors and a front facing gable. It therefore has the appearance of a traditional agricultural barn and conforms with the rural character of the surrounds.

6. The approved plans demonstrate that the proposed works would change the external appearance of the building quite considerably through the inclusion of a substantial amount of glazing on the south, west and east elevations. As a result of the glazing, the building would be perceived as a very modern looking dwelling rather than a barn type structure. It would therefore appear highly incongruous and out of place in the context of the existing rural character of the area, including the traditional stone buildings nearby. Furthermore, the proposed parking area and the inevitable domestic paraphernalia that would be visible around the dwelling would also result in harm by eroding the current verdant and tranquil feel of the immediate setting. This harm would be exacerbated during the hours of darkness when domestic lighting would make the proposed dwelling even more apparent.
7. Despite the fact that existing hedgerows shield views into the site to some degree, and that some additional planting is proposed, the proposed dwelling would still be clearly visible via the existing access, and it would also be glimpsed from various vantage points along the adjoining lane. The resulting harm would therefore be readily apparent.
8. The appellant has suggested that the final appearance of the proposed dwelling and its curtilage, including the associated parking arrangements, could be controlled via a suitably worded condition. However, the use of such conditions would not be appropriate as I need to be satisfied that the development would not lead to harm. In any event, I am required to make my decision based on the approved plans before me.
9. I therefore conclude that the proposed development would result in harm to the character and appearance of the area, and it is therefore in conflict with Policies S22 and EN2A of the Teignbridge Local Plan 2013-2033, adopted May 2014 (LP). Taken together, the relevant aspects of these policies seek to preserve the existing character and appearance of the landscape.

Permanent and soundly constructed building

10. LP Policy EC11 sets out that, in areas that are not within or adjoining settlement limits, new tourism accommodation can be provided where it would involve the appropriate conversion or change of use of a permanent and soundly constructed building which sensitively retains any historic interest and character.
11. In this instance, the stable building has been recently constructed, and while it conforms with the surrounding rural character, it has no historic interest. Furthermore, from the evidence before me, and from what I observed on my site visit, the building appeared to be complete and of a sound and permanent construction. The requirements of Policy EC11 have therefore been met. The Council has raised concerns that the building has never been used for its intended purpose as a stable. However, this is a moot point as Policy EC11 does not include any requirements regarding the previous or current use of such buildings.
12. As a result, I conclude that the existing stable building is suitable for conversion and there is no conflict with LP Policies EC11 and S22, which in part, allow the conversion of appropriate buildings in the countryside to form tourist accommodation.

Other Matters

13. The officer report identifies that the site is within the South Hams Special Area of Conservation Landscape Connectivity Zone. However, as I am dismissing the appeal, I am not required to consider this matter further.

Conclusion

14. I have found that the appeal proposal would cause harm in relation to character and appearance. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have found that the existing building is suitable for conversion. Whilst the provision of one new unit of tourist accommodation would have some economic benefits for the local area, given the small-scale nature of the scheme, any such benefits are likely to be limited. Accordingly, 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