

Appeal Decision

Site visit made on 7 February 2024

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15.02.2024

Appeal Ref: APP/P1133/W/23/3323266

Goosemoor, Kennford, Devon, EX6 7XZ

- 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 & Mrs Pinsent against the decision of Teignbridge District Council.
 - The application Ref 23/00487/HOU, dated 4 January 2023, was refused by notice dated 22 March 2023.
 - The development proposed is the demolition of barn and creation of dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the setting of a listed building; b) local landscape qualities; and c) carbon emissions.

Reasons

3. The appeal site includes a stepped almost flat roofed barn and a modest surrounding area of sloping land which forms part of the open countryside within an attractive locality. It is part of a wider Area of Great Landscape Value (AGLV). Nearby, across a single-track private lane and on higher ground stands the pleasing thatched farmhouse known as Goosemoor which is grade II listed. The overall scene is one of established rural character and is interesting on the eye as the countryside, various farm buildings in differing conditions, and adjoining and further-off land, along with the listed building all come together in a sense of bucolic harmony. The proposal is as described above and is a new-build proposition as a substitute for the change of the barn to a dwelling; this conversion being a fall-back given its 'Class Q' consent.

Listed building

4. The development would lie within the setting of a listed building. There is a duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving the setting of a listed building. Policy EN5 of the Teignbridge Local Plan (LP) includes content which reflects S66(1) and elaborates on the need to draw upon the character and distinctiveness generally and the respond positively to the setting of heritage assets.
 5. Notwithstanding the planned levels and building heights, and the physical separation, the appeal scheme would be developed within what I would deem
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to be the setting of the listed building. New development can be acceptable within the radius of a listed building but regrettably in this instance, even given the efforts to consider height and distance, the new dwelling would patently be an alien intrusion in front of the old farmhouse. Unlike the thoughtful utilitarian and low-key fall-back conversion there would be little or no semblance of an agricultural reason-for-being and domestication would reign. The understanding of the hierarchy of buildings around the heritage asset would diminish and the scheme as a whole would unduly change part of what was, and may still be, a farmstead into this competing domestication.

6. Given the above, I conclude that the proposal would conflict with the aims of S66(1) of the Act as well as LP Policy EN5. It would also run contrary to LP Policies S1 and S2 which, taken together and amongst other matters, set out the need to protect historic assets and their local landscapes.

Landscape qualities

7. In rather the same way that the scheme would not sit comfortably in the listed building context I am concerned about the impact on landscape quality generally. Unfortunately, the appeal proposal would appear as an inexplicable new home which would draw little from its surrounds and impinge upon the pleasing rural landscape of this part of the AGLV. The changes planned for the site are too extensive and I do not see how the design of this large new structure draws upon any great semblance of local distinctiveness or rural idiom. There are significant elements such as the glazing pattern, the porch, a glass balustrade, a veranda, and pitched roofs which compound my opinion of unsuitability for this context. Again, I would say that the fall-back scenario is appreciably more appropriate to the rural landscape than the appeal scheme; this development could not be seen to offer clear betterments or equal levels of impact compared to the Class Q scheme.
8. LP Policies S1, S2 and EN2A are relevant to this main issue. Taken together and amongst other matters, they call for development to be of high-quality design respecting and maintaining or enhancing landscape qualities and, particularly within AGLVs, minimising visual impact. I conclude that the appeal scheme would run contrary to these policies.

Carbon impact

9. The Council is concerned that it is not demonstrated that the proposed development would constitute an equal or better level of impact over the conversion of the existing building in terms of carbon impact. However, for my part, I consider that the Appellants set out matters very logically in their appeal statement. For the reasons given related to: limitation on conversion work; restrictions in Class Q; the detail of the planned scheme; the ability to apply planning conditions; and the wording of Policy EN3, I conclude that the appeal proposal not conflict with LP Policies EN3 (Carbon Reduction Plans) or S7 (Carbon Emission Targets).

Other matters

10. I agree that there would be no residential amenity issues and that materials are broadly suitably selected and could be refined or confirmed via a planning condition. I have reviewed other development examples within the AGLV drawn to my attention but found none to be directly comparable in form or

location and, in any event, I must assess the case before me on its own merits. I recognise the 'red-line' debate but a smaller curtilage would not overcome my concerns related to the scheme as a whole. I have carefully considered all the points raised by the Appellants however these matters do not outweigh the concerns which I have in relation to two of the main issues identified above.

11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect the countryside and to safeguard heritage assets; development plan policies which I cite mirror this. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellants, which to my mind would be of a scale to outweigh the harm to the setting of the listed building which I have identified.

Overall conclusion

12. For the reasons given above I conclude that whilst the appeal proposal would not lead to a relatively excessive carbon impact there would be unacceptable adverse effects on the setting of a listed building and on local landscape qualities. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR