



Appeal Decision

Site visit made on 15 April 2024

by Neil Pope BA (HONS) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2024

Appeal Ref: APP/U1105/W/23/3325946

Mundy's Farm, West Down Lane, Exmouth, Devon, EX8 2RH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alan Marriott against the decision of East Devon District Council.
 - The application reference is 22/0781/FUL.
 - The development proposed is a garden shed.
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Decision

1. The appeal is allowed. Planning permission is granted for a garden shed at Mundy's Farm, West Down Lane, Exmouth, Devon, EX8 2RH. The permission is granted in accordance with the terms of the application ref. 22/0781/FUL and the plans submitted therewith.

Preliminary Matters

2. The description of the development above, is a more concise version of that specified within the application and appeal forms.
3. Mundy's Farm is a grade II listed building¹ within the East Devon National Landscape².
4. The shed has already been erected. I understand that a smaller shed, located towards the south-west corner of the garden, was removed some years ago.

Main Issues

5. The two main issues are whether the development preserves the setting of Mundy's Farm³ and the impact upon the East Devon National Landscape (NL).

Reasons

Planning Policy

6. The development plan includes the East Devon Local Plan (LP) and the Exmouth Neighbourhood Plan (NP). My attention has been drawn to various strategies and policies. The most important ones to the determination of this appeal are: LP policies EN9 (designated heritage assets) and D1 (design), LP Strategy 46 (national landscapes) and; NP policy EB1 (heritage assets).

¹ The provisions of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are engaged.

² Formerly an AONB. The provisions of section 245 of the Levelling-Up and Regeneration Act 2023 are engaged.

³ Listed as Mundy's Farmhouse and the Country Cottage.

First Main Issue - Setting of Mundy's Farm

7. Mundy's Farm and the adjoining 'Old Country House' are two cottages that previously comprised the Old Country House Inn. The significance (heritage interest) of Mundy's Farm is primarily derived from its special architectural and historic qualities. These include its early 19th century roughcast rendered façade, stone walls, window arrangement (including pointed half dormer windows), thatched roof with brick chimneys and its previous uses as a hostelry and farmhouse within this part of East Devon.
8. Mundy's Farm has been altered and extended over time. This includes a 1970s single storey, half-hipped, thatched roof addition on the eastern side and the insertion of modern casement windows and a porch. There have also been changes to the setting. This includes the loss of an orchard to the south, a cul-de-sac of 11 dwellings (known as Shapter Court) that have been built immediately to the east, and a children's play area on the opposite side of West Down Lane. This listed building lies within the settlement and is no longer surrounded by fields, farmyard or orchard.
9. The appeal site comprises a very small part of the garden to Mundy's Farm and lies between the 1970's extension and a timber fence along the boundary with Shapter Court. The site (and the rest of the garden) forms part of the setting to the listed building and does not detract from the significance of Mundy's Farm. However, there is no cogent evidence before me to demonstrate that the site assists in affording an appreciation or understanding of the heritage interest of this designated heritage asset. It makes a neutral contribution to the significance of this listed building.
10. The timber shed measures approximately 9.5 metres x 2.4 metres. Like most garden sheds it could not reasonably be described as a thing of beauty. However, it sits comfortably at the side of the listed house with ample garden space retained to the south west. The low roof slope of the shed (covered in black coloured felt) and fencing to the north and east limit its visual impact.
11. The shed does not appear as a surprising or unexpected addition within the garden setting of this listed dwelling. It neither draws the viewer's eye away from the pleasing façade of the listed building nor diminishes the ability to appreciate other elements that contribute to the significance of Mundy's Farm. The siting, size and appearance of the shed does not harm the setting or detract from the special architectural or historic qualities of the listed building.
12. I conclude on the first main issue that the shed preserves the setting of Mundy's Farm. This minor development accords with the provisions of LP policies EN9, D1 and NP policy EB1.

Second Main Issue – East Devon National Landscape (NL)

13. The NL is an extensive area that covers a sizeable part of the district. The character of this landscape varies and includes coastline, villages and heathland. I have been provided with very little information regarding this NL. Nevertheless, in my experience, the special qualities of this designated landscape include the contribution made by the numerous heritage assets, including listed buildings. In noting the Council's concern that the development comprises an incongruous structure, there is nothing of substance before me to

suggest, or demonstrate, that the natural beauty, wildlife or any important public views would be adversely affected.

14. Given my findings in respect of the first main issue above, and when exercising the statutory duty in respect of this NL, the preservation of the setting of Mundy's Farm would, in turn, safeguard the special qualities of the NL. The development maintains the landscape quality of this nationally important area and conserves the natural beauty of this part of East Devon. There is no conflict with LP Strategy 46.
15. I conclude on the second main issue that the development preserves the landscape quality and attributes of the East Devon National Landscape.

Other Matters

16. I note from the representations that some concern has been expressed regarding the use of the shed. As I saw during my visit, part of the shed (and some of the outside space immediately alongside) was being used to store numerous garden tools and what appeared to be several chainsaws. The remainder of the shed was being used to store household items.
17. I have determined this appeal on the basis of what has been applied for. Namely, a development ancillary to the residential enjoyment of the appellant's dwelling (submitted as a householder application) and not for a shed associated with any business or commercial use. If the shed was to be used for purposes other than that applied for, separate permission is likely to be required from the Council. Any subsequent application would be considered on its own merits at that time. It is therefore unnecessary and inappropriate for me to attach a planning condition restricting the use to that applied for.

Overall Conclusion

18. Given all of the above and having regard to all other matters raised, I conclude that the appeal should succeed.

Neil Pope

Inspector