



Appeal Decision

Site visit made on 21 November 2024

by Neil Pope BA (HONS) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2024

Appeal Ref: APP/Q1153/W/24/3342375

Palmers Norley Farm, Northlew, Okehampton, Devon, EX20 3PN.

- 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 D Keegan against the decision of West Devon Borough Council (the LPA).
 - The application reference is 0120/23/FUL.
 - The development is the retention of building alterations for conversion of former stable building to dwelling and retention of boundary fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies within the setting of the adjacent grade II listed building known as Palmer's Norley¹.
3. The appellant's agent has informed me that the retention of a 1.1-metre-high close boarded boundary fence has been withdrawn from the appeal and the fence panels have been removed. An amended block plan (ref. PL4844/3A) has been submitted which shows a beech hedge in lieu of the fence. This amendment would be unlikely to prejudice the interests of any party² and I shall take it into account. My considerations are now limited to the works of alteration to the former stable building and the proposed hedge.
4. I note that in 2015, prior approval was granted for the change of use of the appeal building into a dwelling (ref. 01011/2015). The appellant's agent has informed me that a pre-commencement condition attached to that approval was not complied with and this previous approval has now lapsed. I also note that in 2014, prior approval was granted for the conversion of a neighbouring barn (ref. 00584/2014). I understand that this approval remains extant.

Main Issues

5. The two main issues are: firstly, whether the works of alteration to the building could reasonably be described as a scheme of conversion and comply with national³ and local⁴ planning policies for housing within the countryside and; secondly, the effect upon the setting of Palmer's Norley.

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

² Having regard to the Wheatcroft principles.

³ The National Planning Policy Framework (the Framework).

⁴ The development plan, which includes the Plymouth & South West Devon Joint Local Plan 2014-2034 (LP).

Reasons

6. The appeal site includes a former stable building⁵ that is situated about 1.4 km from the village of Northlew. It lies within a cluster of buildings, which include some dwellings. The building has a mixture of random rubble stone walls, brick, blockwork, weatherboarding and a profiled metal sheet roof.

Planning Policy

7. In essence, in contributing to the achievement of sustainable development, established national and local planning policies for the countryside seek to locate new housing where it would enhance or maintain the vitality of rural communities. This includes the re-use of redundant or disused buildings.
8. Both main parties agree that the appeal site is not isolated. Given the above noted approvals for the conversion of the appeal building and a neighbouring barn, it would be somewhat illogical to reason that the site is so distant from services and amenities as to render the proposed use in conflict with policies that are aimed at reducing the need to travel⁶. I therefore consider that the most relevant LP policies to the determination of this appeal are TTV26.2 (development in the countryside⁷), DEV21 (historic environment) and DEV23 (landscape character).
9. My attention has also been drawn to the LP Supplementary Planning Document (SPD)⁸ and the LPA's Barn Guide 'Traditional Farm Buildings Their Adaptation and Re-Use' (the Guide). Amongst other things, the Guide states that if a large part of a building's fabric has to be replaced to make it suitable for re-use (through works of demolition and rebuilding) it is likely that the scheme being proposed will not be considered a conversion of an existing building but the construction of a new one on its site. In addition, changes should be undertaken in a way that maintains the settings of traditional farm buildings.

First Main Issue

10. The appeal building has been altered and enlarged over time. Its random rubble stone walls are of traditional construction and of some considerable age. Whilst the mid-twentieth century blockwork walls could not reasonably be described as a traditional material, it forms part of the long-standing fabric of the building. In my experience, it is not unusual for approval to be obtained for the conversion of some rural buildings that include small sections of mid-twentieth century building materials. In the context of the LP, the appeal building could loosely be described as a traditional building.
11. As noted above, the timber frame infill/weatherboarding and new roof structure⁹, including the increase in height of the wall heads are of very recent construction. It would appear that these works have been undertaken since the 2015 approval for a change of use. Not all of these works are consistent with that approval and the 'footprint' of the building also appears to have been enlarged. I concur with the planning officer's assessment, that the works that

⁵ The LPA has calculated that it measures approximately 13.7 metres x 6.2 metres.

⁶ This history represents a material difference to the circumstances in appeal refs. 3337782, 3288683, 3289096 & 3253150 that the LPA has drawn to my attention. Whilst in the latter case, there was some planning history it was for a different use and the Inspector noted changes to the development plan in the intervening period.

⁷ The objective of this policy is to protect the special characteristics and role of the countryside.

⁸ Insofar as this appeal, the SPD does not add anything of substance to the case of either party.

⁹ The shape of the roof is also different to that shown in the photographs taken in 2015.

have been undertaken to this building since 2015 and which would be required to complete the development, are not insignificant alterations. This is at odds with the provisions of LP policy TTV26.2(ii).

12. However, the development forms part of an established group of buildings within the countryside and no part of it, including the proposed car parking spaces or garden area, would encroach into the surrounding countryside. The building is much lower in height than its neighbours and is set back a considerable distance from the highway. The likely activity associated with this proposed one bedroom unit would have a negligible impact upon the wider rural surrounds. The proposal would not erode the special characteristics (landscape character) or role of the countryside. It would accord with the overall objective of LP policy TTV26 and the provisions of LP policy DEV23.
13. I conclude on the first main issue that, on balance, the works of alteration to the building could reasonably be described as a scheme of conversion and comply with national and local planning policies for housing within the countryside.

Second Main Issue

14. The heritage interest (significance) of Palmer's Norley, which dates from the mid-17th century, is primarily derived from its special architectural and historic qualities. These include its plastered rubble and cob walls, thatched roof, original two room plan, as well as its former role as a farmhouse and historical association with agricultural activities within this part of West Devon.
15. This designated heritage asset has been altered and enlarged over time. There have also been some changes within its setting. This includes the cessation of agricultural activities from this group of rural buildings, as well as the 2014 approval to a neighbouring barn. Nevertheless, Palmer's Norley retains its pleasing traditional Devon vernacular and attractive rural setting.
16. The appeal site has close physical and historical functional relationships with this listed building. The simple form of the appeal building, its random rubble walls and the open space in front of this former stable assist in maintaining an appreciation and understanding of the significance of Palmer's Norley. The appeal site makes a small, positive contribution to the significance of this neighbouring building which is recognised as being of national importance.
17. The retention of the appeal building and its re-use would help to maintain the historic grouping of this farm cluster and avoid the building falling into decay. I recognise that the proposed double staggered row of beech hedge along the boundary with the listed farmhouse, the retention of the open space in front of this former stable and the roadside hedge are an attempt to safeguard the rural setting of the appeal building and Palmer's Norley.
18. However, the setting of the listed farmhouse would be eroded by some of the physical works of adaptation to the appeal building. In particular, the full height double window in the south eastern elevation and the grey green coloured metal roof. These elements are most uncharacteristic of a traditional rural building and would diminish its integrity. As a result, the development would appear as a rather conspicuous intrusion into the setting of Palmer's Norley and would be likely to distract from an appreciation and understanding of its significance. Whilst a similar coloured roof material exists on a neighbouring barn conversion, this is further away from Parmer's Norley and in my opinion, does little, if anything to preserve its setting.

19. The submitted plans show that a new window opening in the south western elevation of the appeal building would be blocked up. It may be possible to alter the fenestration to something more appropriate on the south eastern elevation, as well as using a more suitable roof material, such as natural slate. However, this has not been suggested and it is very far from certain that the proposed internal layout or roof structure could satisfactorily accommodate any such changes. In the circumstances, it would not therefore be possible to address such matters by way of planning conditions in this appeal.
20. The setting of Palmer's Norley would, to a limited extent, be further eroded by the proposed residential use. This would be very different in character to the historic agricultural use of the building, with the inevitable domestic paraphernalia and comings and goings of residents and visitors/delivery vehicles. Circumstances could also change and the new dwelling could be sold off and operate separately from the listed building. Notwithstanding the above noted attempt to safeguard the setting, this new use would contrast awkwardly with the long-standing use of the appeal site. It would curtail its historical functional relationship with Palmer's Norley and detract from the significance of the listed building. However, on its own, the impact of the proposed use would not be so great as to justify withholding permission.
21. I find, overall, that the proposal would detract from the setting of Palmer's Norley. In the context of 'the Framework' this would amount to less than substantial harm to the significance of this designated heritage asset. If there is a sliding scale or spectrum of harm within this category the proposal would be towards the lower end. However, less than substantial harm does not equate to a less than substantial planning objection. Great weight should be given to the conservation of designated heritage assets. I attach considerable weight to the harm I have identified above.
22. 'The Framework' also requires any such harm to be weighed against the public benefits. In this instance, the proposed development would help increase the choice and supply of housing within this part of West Devon, especially the stock of smaller, more affordable housing. If, as suggested by the appellant, the building was used for holiday letting it would result in a very small benefit to the local economy. The proposal would also provide some very minor economic benefit to the construction industry and an increase in Council Tax receipts. I attach limited weight to these public benefits.
23. When undertaking the 'heritage balance', I find that the less than substantial harm to the significance of Palmer's Norley would not be outweighed by the public benefits. I therefore conclude on the second main issue that the proposal would unacceptably harm the setting of Palmer's Norley and conflict with LP policy DEV21, the Guide and the provisions of 'the Framework' that are aimed at conserving and enhancing the historic environment.

Overall Conclusion

24. My findings in respect of the first main issue do not overcome or outweigh the harm that I have identified to the significance and setting of the listed building. I therefore conclude that the appeal should not succeed.

Neil Pope
Inspector