
Appeal Decision

Site visit made on 12 November 2024

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/Q1153/W/24/3344741

Higher Narracott, Exbourne, Okehampton, Devon EX20 3QX

- 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 Adam Thompson against the decision of West Devon Borough Council.
 - The application Ref 0248/24/FUL, dated 21 January 2024, was refused by notice dated 9 April 2024.
 - The development proposed is erection of a replacement dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the Design and Access Statement (DAS), submitted as part of the appeal application, the proposal is identified as being for a replacement single open market dwelling, with the planning supporting statement intimating that it would most likely be a self-build development. In their appeal submissions, the appellant identifies that the proposal is intended to meet the specific needs of the appellant and his family, however no evidence has been provided to support this. Nor has any evidence been provided to demonstrate that the proposal would be brought forward as a self-build development. On this basis, I have therefore considered the proposed development as being for an open market dwelling, as originally submitted.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposal would provide a suitable location for housing, having regard to the proximity of services, the character and appearance of the area and the suitability of the highway network;
 - Whether the proposal would accord with local policies concerned with housing provision and sustainable rural communities; and
 - Whether the proposal would comply with policies that seek to deliver low carbon development.

Reasons

Suitability of location

4. The appeal site is located in a countryside location, with Policy TTV1 of the Plymouth and South Devon Joint Local Plan 2014-2034 (JLP), identifying that

development in the countryside is to be permitted only where it can be demonstrated that it supports the principles of sustainable development and sustainable communities. Policy TTV26 of the JLP provides criteria for assessing development in the countryside and requires proposals protect the special characteristics and role of the countryside, as well as avoiding isolated development, subject to a number of exceptions. Given the location of the appeal site in relation to surrounding development and settlements, I consider it to be in an isolated location. From the evidence before me, the proposal fails to meet any of the exceptions set out in Policy TTV26.

5. The closest services and facilities are located within the settlement of Exbourne. Access to these facilities would be along a single width, unlit lane for the majority of the way. At certain locations the gradient of the lane is particularly steep. As a consequence, I do not consider that it would make it an especially attractive route for alternative modes of transport, such as walking or cycling. I appreciate that in rural areas, the potential to provide for alternative means of transport is often limited. However, in this case, I find the characteristics of the location to be one that would fail to encourage future residents to use alternative modes of transport or be in a location where alternative modes are a realistic choice. It is therefore likely that future residents would rely heavily upon private vehicles to access local services and facilities.
6. The proposed development would be set away from the developed area of the existing farmhouse and associated outbuildings and would be separated by an existing garden area, along with a small copse of trees located around the access. Access would be via an existing access, which currently serves the agricultural outbuildings. Due to its location, the proposal would introduce development into a currently undeveloped location and as such, would expand development into and increase the amount of development in the open countryside.
7. The appeal site comprises an area of open land, partially screened from the road by existing boundary planting. The land slopes down towards the road and the proposed dwelling would be built into the contours of the site, so that the majority of the dwelling would be hidden from view. The use of a sedum grass roof would further assimilate the building into the landscape. However, some elements of the development, in particular the improved access, parking and turning areas and landscaped elements of the garden would be visible from the road. Furthermore, with the introduction of residential development into this currently undeveloped location, there is likely to be an increase in lighting, be that from within the dwelling, or from external sources such as around the access and pathways. Moreover, the proposed development would introduce residential activity, and this, along with the addition of associated residential paraphernalia, would further detract from the existing rural character. Therefore, whilst I acknowledge the innovative design, I do not consider that the design approach alone would overcome the harm to the rural and undeveloped nature of the appeal site.
8. For the above reasons, I therefore conclude that the appeal site does not provide a suitable location for housing and that the proposed development would appear as an incongruous, alien form of development which would have an urbanising effect, harming the existing open, rural character of the appeal site.

9. I have been referred by the appellant to an existing prior approval for the conversion of the existing hay barn into a 2 bedroomed residential property. This permission was granted via Class Q of the General Permitted Development Order (GPDO). As part of the appeal proposal this conversion would not take place, instead, the proposed development would act as a replacement dwelling, ensuring that there would be no net increase in dwellings on the site.
10. Having viewed the existing barn and from the evidence before me, I see no reason as to why this permission cannot be implemented. Therefore, I am satisfied that this falls to be considered as a viable fallback position.
11. The hay barn forms an integral part of the existing developed part of the site, and as such, with the approved conversion, it would not increase or expand the amount of built development. Associated access, parking and residential activity would be contained within the existing farmyard, which is surrounded by built development. This contrasts with my findings in relation to the effect of the proposed development upon the countryside. Therefore, in this respect, I find that the impact and associated harm to the countryside by the proposed development would be considerably greater than that caused from the fallback option.
12. As with the proposed development, the fallback option would be likely to increase the use of private vehicles to access services and facilities. In this respect, the appeal proposal is of a considerably greater size than the fallback position and therefore has the potential to generate a greater number of trips and associated activity.
13. In support of their case the appellant has referred to improvements that would be delivered to the setting of the Listed Building at Little Narracott, along with providing greater separation distances between the dwellings on the site, including the existing farmhouse, and the Listed Building. Whilst this may well be the case, I do not consider that these potential benefits to be of sufficient weight to outweigh the harm I have found from the proposed development.
14. It has also been suggested that the existing hay barn is of poor architectural quality, with the design of the proposed development representing a substantial improvement. Notwithstanding the design of the proposed development, I find however the hay barn to be typical of the type and nature of operational development often found in the countryside. I therefore do not consider that its re-siting as part of the proposal outweighs the harm I have found.
15. Therefore, whilst the proposed development would not increase the number of dwellings that would be provided on the appeal site, I find that it would have a considerably greater effect upon the rural character of the area than the fallback position put forward by the appellant. As such, I do not consider that the existence of the fallback to provide sufficient justification to overcome the harm I have found.
16. For these reasons, I therefore conclude that the proposed development is not in a suitable location for housing and that, by virtue of its isolated location would harm the rural character of the area. In this respect, the proposal is contrary to Policies SPT1, SPT2, TTV1, TTV2, TTV26, DEV20, DEV23, DEV28 and DEV29 of the JLP and the National Planning Policy Framework (the Framework).

Housing Provision

17. JLP Policy SPT2 supports the creation of communities and requires them to have a balance of housing types and tenures to meet identified housing needs. Policy DEV8 relates to meeting local housing needs and identifies that a specific aim within the policy area is to address existing imbalances in the housing stock and requires proposals to be brought forward to address this.
18. The Strategic Housing Market Needs Assessment that underpins the housing policies identifies that, due to household change, there is a need for smaller homes. The Council provided evidence which demonstrates that there is currently an over-provision of 3 and 4 bed dwellings and an under-provision of 1 and 2 bed dwellings within Exbourne Parish. The Council therefore consider that to address development plan policy there is a greater need for smaller units.
19. It is clear from the housing mix policies in the JLP that to support the aim of delivering sustainable rural communities, proposals should not simply seek to add to the existing housing stock but should seek to address local imbalances and positively benefit local housing needs. The proposed development is for an open market 4-bed detached dwelling, and as such, it would fail to address the existing imbalance and therefore fails to accord with Policies DEV8 and SPT2 in this regard.
20. The appellant has submitted that the provision of a 4-bedroomed dwelling would make a valuable contribution to the supply of housing. However, from the evidence provided, whilst a new dwelling would add to the overall housing stock, it would fail to meet the identified local need, as required by the development plan.
21. I therefore conclude that the proposed development would exacerbate an existing imbalance in the housing stock, contrary to the JLP's development strategy. In this respect, the proposed development would conflict with Policies SPT2 and DEV8 of the JLP and the Framework.

Low Carbon Development

22. The JLP supports the transition to a low carbon economy, with Policy DEV32 requiring all developments to consider the energy hierarchy and how the environmental impact of proposals can be minimised.
23. The appeal is supported by a Climate Emergency Compliance Form and a DEV32 Checklist. Further detail is also provided in the supporting DAS demonstrating the various measures that would be included, along with the benefits associated with the particular design approach.
24. There are however no details with regards to the demolition of the hay barn, and the required Part M5 of the Climate Emergency Compliance Form has not been completed. As a result, on the limited information before me, I am unable to conclude with any degree of certainty that the proposed development would provide a suitable overall carbon benefit over the fallback position.
25. I have considered whether the matter could be dealt with via an appropriately worded condition, however given that it is being suggested that the proposed development would provide an improvement on the fallback position, I consider this information to be material to the overall decision in this case. Therefore, I

do not consider a planning condition would satisfy the tests laid out in the Framework.

26. I therefore conclude that the proposed development fails to demonstrate that it would provide suitable carbon reduction benefits and, in this respect, it would conflict with Policies SPT1 and DEV32 of the JLP and the Framework.

Conclusion

27. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR