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## Appeal Decision

Site visit made on 3 December 2024

**by O Marigold BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 December 2024**

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**Appeal Ref: APP/P1133/W/24/3345425**

**Rydon Farm, Road Past Rydon Farm, Two Mile Oak, Devon TQ12 6DB**

- 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 & Mrs Paul Gammin against the decision of Teignbridge District Council.
  - The application Ref is 24/00326/FUL.
  - The development proposed is proposed new dwelling to replace existing Class Q prior approval ref: 23/01606/NPA.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Since the appeal was made, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

4. The site consists of a modest, redundant stone barn, set back slightly from the edge of the adjacent road. It forms part of a complex of agricultural and diversified buildings. These have been much changed over the years and other development such as an extensive solar farm has been built close by. Nevertheless, the barn and its surroundings retain a pastoral, countryside appearance. The proposal seeks to demolish the barn and replace it with a larger dwelling on a different footprint, partially overlapping but positioned further back into the site.
5. Materials from the existing barn would be re-used and it would have a fairly simple plan form. The proposal would have a lower height and scale than nearby buildings. However, it would be notably taller and wider than the existing barn and would have a roof profile more akin to a dwelling than a barn. The proposal would have a flat-roofed porch extension, as well as numerous rooflights, large areas of glazing, horizontal high-level slit openings and a large prominent picture window. These features would not reflect those

of the existing barn and would instead give the proposed building an overtly domestic appearance.

6. Other buildings nearby vary in their height and proximity to the adjacent road. However, together with the appeal barn, they provide a sense of intimacy and enclosure that reflects the historic grouping of farm buildings here. The proposed repositioned building would be broadly in line with the front of the existing farmhouse. Nevertheless, by re-siting the building away from the road, and away from the adjacent stone boundary wall, the proposal would diminish the attractive sense of enclosure provided by the existing cluster of built form.
7. For these reasons, the proposal would have an appearance that would harmfully conflict with the agricultural character of the existing building and the wider area, thereby failing to maintain the quality of the surrounding pastoral landscape. As such, the proposal would not enhance its immediate setting, and so would not be supported by Paragraph 84(c) of the Framework, to the extent that this is relevant to the proposal. Consequently, I can draw little useful comparison with the cited appeal decision in Kent<sup>1</sup>.
8. For the reasons given above, the proposal would harm the character and appearance of the area. It would therefore conflict with policies S1, S2, S22 and EN2A of the Teignbridge Local Plan, adopted 2014. These require proposals to maintain the character and appearance of their locality and the wider landscape, including in respect of their design. I give this conflict substantial weight in the planning balance.

### **Other Considerations**

9. As identified in the description of development above, planning permission has already been granted for conversion of the existing barn to residential use, by means of a Prior Approval application under Class Q of the General Permitted Development Order. I do not doubt that this consent would be utilised if permission for the appeal proposal is not forthcoming. This fallback position is therefore an important factor in my considerations.
10. The proposal would be built to higher environmental standards, for example in terms of water and energy efficiency, than may be possible under the fallback. It would have biodiversity benefits, such as a green roof and wildflower planting. It would avoid the low ceilings and slightly unusual layout of the fallback, and have improved amenity space for future occupiers, although these are essentially private benefits.
11. The proposal would provide more space for parking and greater visibility for vehicles leaving the access than are available under the fallback. However, I have little evidence to suggest that parking or highway safety is a problem here, or that the improved visibility is a significant benefit.
12. In contrast, the fallback would re-use the existing building, with areas of glazing that better reflect the existing openings and form of the barn. It would also retain the position and profile of the existing barn, including its roof design. As a result, it would better reflect the agricultural appearance and integrity of the existing barn. As such, the fallback would not have the same

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<sup>1</sup> PINS reference W/4000640

overly domestic and harmful appearance of the proposal. I therefore consider that the fallback is preferable to the proposal and does not justify it.

13. The proposal would add to the supply of housing, including as a self-build unit. Although not on brownfield land, it would make more efficient use of the site. Its future occupiers would make social and economic contributions, such as to local businesses. Construction of the proposal would also have economic benefits, for instance to the building industry. Nevertheless, much of this is also true of the fallback. Accordingly, I give these benefits limited positive weight, and the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.
14. The site lies within the landscape connectivity zone of the South Hams Special Area of Conservation (SAC), protected pursuant to the Conservation of Habitats Regulations 2017. Had I found no harm in respect of the main issue, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects of the proposal on the SAC. However, as permission is being refused for other reasons, this matter need not be considered any further in this case.

### **Planning Balance and Conclusion**

15. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

*O Marigold*

INSPECTOR