



Appeal Decision

Site visit made on 13 January 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal Ref: APP/U1105/D/24/3349925

Tinkers Barn, Lane to Rull Farm, Payhembury, Devon EX14 3JQ

- 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 David Gillingham against the decision of East Devon District Council.
 - The application Ref is 24/0136/FUL.
 - The development proposed is for part garage conversion, first floor extension over existing garage and single storey rear extension and the introduction of solar panels.
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Decision

1. The appeal is allowed and planning permission is granted for part garage conversion, first floor extension over existing garage and single storey rear extension and the introduction of solar panels at Tinkers Barn, Lane to Rull Farm, Payhembury, Devon EX14 3JQ in accordance with the terms of the application, Ref 24/0136/FUL, and the plans submitted with it, subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan and 107/003B General Arrangement as Proposed.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Since the planning application, the subject of this appeal, was determined a new version of the National Planning Policy Framework (the 'Framework') has been published (12 December 2024). There has been no material change to national planning policy in respect of householder appeals and therefore I consider that it was not necessary to refer back to the parties. I have determined the appeal on this basis.

Main Issue

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

Reasons

4. The appeal dwelling comprises a converted barn within a complex of former agricultural buildings previously known as Rull Farm. The appeal site, the other converted barns, as well as Rull Cottage, all have dormer windows at first floor level such that they all appear quite heavily domesticated.
5. Attached to the western elevation of Tinkers Barn is a single storey range of outbuildings, that provide garaging for a number of the houses; the proposal would see the provision of a first floor extension over its garage to provide a master bedroom with en-suite bathroom. Whilst the proposal would, to some extent, erode the character of the range's appearance, it would appear logical in the residential context of the site, with little of the utilitarian character of the historic farmstead retained. It would create an abrupt edge where adjacent to the remaining run of outbuildings, but in reality this would be no different than the existing drop in ridgeline from Tinkers Barn itself to its existing garage's ridgeline.
6. Overall, I consider the design would harmonise with the extant dwelling on the site; consequently I consider that the proposal would not result in a dominant structure that would fail to sit comfortably with the existing buildings.
7. Therefore I conclude that the proposal would not have a detrimental impact upon the character and appearance of the area, with the scheme complying with Strategy 7 and Policy D1 of the East Devon Local Plan 2013 – 2031 (adopted 2016) which together permit development where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located and ensure that the scale, massing, height, fenestration and materials of buildings relate well to their context.

Conclusion and Conditions

8. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
9. Other than the standard time limit condition the Council has suggested that a condition be imposed that requires the development to be carried out in accordance with the approved plans. I consider the latter condition necessary in the interests of preserving the character and appearance of the area and also by imposing a third condition requiring the materials to be used in the construction of the extension to match those used on the existing building.

C J Tivey

INSPECTOR