
Appeal Decision

Site visit made on 25 February 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2025

Appeal Ref: APP/K1128/W/24/3356649

Washwalk Mill, Blackawton, Devon TQ9 7AE

- 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 Dr Paul Banks against the decision of South Hams District Council.
 - The application Ref is 2222/24/HHO.
 - The development proposed is conversion and extension of existing outbuildings as ancillary use only and additional parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the Council's notice of decision, the National Planning Policy Framework (the Framework) was revised on 12 December 2024. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that paragraph numbers have changed. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context.
3. It is stated in the application form that works commenced in October 2023 and that they have not been completed. This is consistent with my own observations, though it is noted that the rooflights are not in the same position as proposed. In any case, I have dealt with the scheme on the basis of the proposed plans.
4. The Council is concerned that the application type, as applied for, is incorrect. However, it made a determination on the proposal and I am satisfied that the appeal is valid.

Main Issues

5. The main issues are (i) whether the proposal amounts to additional accommodation to the main dwellinghouse; and (ii) the effect of the proposed development on the non-designated heritage asset.

Reasons

Accommodation

6. The isolated appeal site comprises a residential property and outbuildings within extensive grounds and is accessed via a long, narrow track. When approaching the main dwellinghouse along this track, one passes a stone outbuilding that is the subject of this appeal. The outbuilding and dwellinghouse are said to be about 33 metres apart which tallies with my own observations. Their linear positioning in a

landscape devoid of any other nearby development, and a shared access means that they are not visually disjointed. However, even if I were to agree with the appellant that their separation distance is not significant, it remains sufficiently large enough to obviate any sense that the appeal building is intimately connected to the host property.

7. In that context, access to the outbuilding does not pass or rely on the dwellinghouse in any way. It contains its own frontage area that is currently used for the parking of vehicles, separate to that near the main dwellinghouse. Furthermore, even though it may aid deliveries in support of the storage and workshop, the scheme would introduce an additional dedicated area of parking even further away from the dwellinghouse.
8. The appellant says that the outbuilding is intrinsically part of the host garden, though the spaces and fields surrounding it are more reflective of land within the same ownership rather than any closely associated garden. In that respect, curtilage is not a use of land and the submitted conveyancing plan would therefore merely indicate ownership. It is also conceivable that a private garden space around the outbuilding could be introduced without interference with the main dwellinghouse. For these reasons, the proposal lacks physical and functional connectivity with the dwellinghouse.
9. Within the evidence it is claimed that the proposal would provide guest accommodation for friends and family, though the focus of the appeal statement is that the rooms would continue to be used by the owner as office and therapy space, storage and workshop uses, and as a music room, library, and chill area. It is said that the main house provides accommodation, kitchen and bathrooms, and that the size of the compartments in the outbuilding do not offer such space or scope to provide facilities for independent living.
10. However, the plans show that there would be 4 separately accessed rooms with 2 bathrooms, 2 bedrooms, and multiple office/store/workshop spaces. These spaces could very easily function independently of one another, though are small and would not achieve good living standards. There is very little information explaining how and by whom this living accommodation would be used to clearly demonstrate a familial relationship between occupiers. The evidence is contradictory and lacks conviction.
11. Furthermore, at my visit, I saw a different internal layout that included 3 separate kitchen areas with one partly constructed, 2 separate living spaces, and a made-up bed in the mezzanine of the room identified on the plans as a studio/office area. While this layout is not shown on the plans, it is not abundantly clear that occupiers of the outbuilding would be at all likely to take meals together in the main household. Even if within the same ownership, neither would they necessarily need to share any other internal living facilities, parking or outdoor space.
12. Although not part of this scheme, the evidence shows that the dwellinghouse has been split into 2 self-contained units. Whether lawful or not, this raises further uncertainty over the functional link between the appeal building and the dwellinghouse it claims it would be associated with.
13. Notwithstanding submissions to the contrary and the description of development, for the reasons given, I cannot be certain that the development would be additional

accommodation to the main dwellinghouse or that the intended use would be part and parcel of it. As such, there would be conflict with Policy DEV10 of the Plymouth and South West Devon Joint Local Plan (JLP) which supports, in part, annexes that would have a functional link to the principal dwelling and provide adequate space to achieve good living standards.

Heritage

14. Annex 2 of the Framework identifies a heritage asset as 'a building identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority'. Whilst not a listed building, there is no dispute that the existing building is a non-designated heritage asset.
15. Paragraph 216 of the Framework says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset. JLP Policy DEV21 sets out similar requirements.
16. The primary significance of the existing building as a heritage asset is derived from its character and historic association with Washwalk Corn Mill shown on the submitted 1885 and 1904 mapping. The building is currently split into 3 sections that are symmetrically stepped and is shown to have previously contained a smaller, half-length section attached to its south. However, save for a rear stone wall, and despite assertions to the contrary, any remnants of this are long gone.
17. The proposal would reintroduce a 4th section to the building. Despite being ever so slightly set back from the existing frontage, it would follow the same roofline as its adjoining section, covering a similar footprint to it. There is little information relating to the overall massing of the historic 4th compartment, though the scheme would not follow the same modest half-length footprint. In that context, while it would not be of a grand scale in its own right, the extension would add a significant amount of built form over a large footprint with very little heritage justification.
18. While not having the force of policy, my attention has been drawn to informal guidance set out in the Council's Traditional Farm Building document. Even though the appeal building may not have previously been defined as a farm building, this guidance is still useful. It is a material consideration that can be afforded modest weight insofar as it relates to this particular matter. Accordingly, the extent and scale of previous doors or openings is not known. Based on the appearance of the building in its present-day sense, the proposal would add 1 more door, which would not harmfully affect the building's fabric.
19. Notwithstanding this, while the proposed materials would be similar to those used in the existing building, the mirroring of design in the extension would unbalance the building's symmetry and irrevocably erode any understanding of historical built form. Additionally, an existing end elevation contains a window with a narrow and vertical emphasis within an attractive brick surround. This positive feature would be lost to the extension with its collection of unsymmetrical openings of overtly domestic and unsympathetic appearance. Having paid regard to specific paragraphs from the JLP that have been referred to and the Heritage Impact Assessment, the aforementioned collective alterations would not sustain or

enhance the significance of the heritage asset. They would cause moderate harm to it.

20. For the reasons given, the proposal would have a harmful effect on the non-designated heritage asset. As such, there would be conflict with JLP Policy DEV21.

Other Matters

21. The appellant refers to sections of the Framework where it is set out that decisions should be responsive to local circumstances, supporting housing developments that reflect local needs, and where it would re-use redundant or disused buildings and enhance its immediate setting. However, even though the appeal site is isolated, these policies of the Framework in paragraphs 82 and 84 are principally concerned with new homes, which is not what has been applied for. Even if I were to take a different view, there is little to show the scheme would meet a local need and I have already concluded above that it would not enhance its immediate setting. I give this matter little weight.
22. I have paid regard to the appellant's comments in respect of the planning history. This includes a pre-application response letter from the Council which is somewhat generic in its content in respect of the annexe and did not offer firm support for this scheme. It is also not clear whether the current proposal, including extensions to the outbuilding is the same as that presented previously at pre-application. Even so, it would have been more helpful for the Council to have highlighted heritage assets at that point, though it is acknowledged that the comments were made without prejudice to any future decision. Nevertheless, these matters have no bearing on my decision which is based on the planning merits of the proposal.
23. The appellant refers to reports covering flood risk, ecology and biodiversity, though these are matters not in dispute and count neutrally in the overall balance of considerations.

Conclusion

24. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed.

J Hills

INSPECTOR