



Appeal Decision

Site visit made on 7 March 2025

by O Tresise MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/P1133/W/24/3355549

**Homefield, Road from Hestow Road to Town Farm Lane, Ideford, Devon,
Chudleigh TQ13 0BH**

- 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 Steve Morrell against the decision of Teignbridge District Council.
 - The application Ref is 23/02168/FUL.
 - The development proposed is 'Retention of existing driveway entrance, piers and gate following material amendments.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed works as set out in the Planning Application Form includes the address of the appeal site. I have removed the address from the banner heading as that is not an act of development is therefore superfluous. I am satisfied this accurately and succinctly describes the development proposed.
3. Since the appeal was lodged, the National Planning Policy Framework (the Framework) has been revised. However, I am satisfied that there are no changes of any consequence for the main issue in this appeal.

Main Issue

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

Reasons

5. The appeal site is located to the south of Hestow Road, within open countryside, the Haldon Ridge and Foothills designation of the Devon Character Area, and the designated Area of Great Landscape Value. During my site visit, I observed the panoramic views of gentle rolling hills and fields towards the south and east. To the northeast, a bungalow is situated, with a group of farm buildings beyond. The combination of the undulating topography, expansive agricultural fields bordered by hedgerows, and clusters of trees contributes to a strong sense of remoteness and tranquillity, reinforcing the area's distinctive rural character.
6. Policies S2 and S22 of the Teignbridge Local Plan 2013-2033 (the Local Plan) seek that development is designed to the highest standard taking account of the distinctive character and qualities of the landscape area. Policy EN2A of the Local

Plan particularly seeks to conserve and enhance the qualities, character and distinctiveness of the area, in particular in the Area of Great Landscape Value.

7. It is apparent that considerable thought has been given to the design of the proposal, taking into account security, choice of materials, and inspiration drawn from other properties in the area. With regard to materials, I note that a variety of traditional building materials are used in the area, and the host dwelling is also finished in render. I therefore consider that the use of render at this particular location would not be detrimental to the character and appearance of the area.
8. However, I find the design of the proposed treatment is harmful to the distinctive rural character of area due to its varying and excessive heights, as well as the solid appearance of the sliding gates, which create a clunky and overly domestic appearance. Such effects are further exacerbated by the proximity of the works to the highway. Although the proposed structures would be visible from a limited range of viewpoints, their bulky and unsympathetic design would unduly dominate the rural scene.
9. The appellant has drawn my attention to a number of examples showing solid gates with different designs of walling and piers. Whilst I do not have full details of each case, nor the circumstances under which they were constructed, none are directly comparable to the appeal proposal. It is because their designs are different, some of them are significantly set back from the road, and others are not seen in the same context. Although there is no specific design code guiding boundary treatment in different settings, policies clearly state that development should conserve and enhance local character and distinctiveness. Given its inappropriate design and excessive height, the proposed boundary treatment appears incongruous and would materially harm the distinctive rural character and appearance of the area. I therefore assign significant weight to the identified harm.
10. The appellant sets out that there is a fallback position whereby a certificate of lawfulness has been granted for an alternative scheme. I agree that the fallback has a real prospect of being implemented if this appeal is allowed. The permitted scheme indicates that the entrance walls would be limited to one metre in height, featuring five-bar gates. Within the site, there would be a pair of two metres high walls running parallel behind the dry-stone bank.
11. The appellant has suggested that the hedges would not completely screen the entire permitted scheme. Whilst I appreciate that such scheme would not be so desirable, I am mindful that the hedges would continue to grow, to be retained and preserved as stated on the drawing provided. In addition, the scheme shows that entrance walls and the five-bar gate would be substantially lower than the appeal proposal and the design is far more in keeping with the rural character. Accordingly, the permitted scheme would be less harmful than the appeal proposal.
12. The appeal proposal also includes other changes to the existing features of the site; extending and reinstating the Devon hedge bank, installing surface water drainage on site, and removing all external lights. These changes would result in some environmental improvement to the site, and I therefore afford modest weight to such benefits.
13. The appellant suggests that the demolition of the existing structures would result in carbon impact as they contain a significant amount of embodied carbon. Also, they

would screen the existing unsightly barn. However, the existing structures were constructed retrospectively, and materials used, following the demolition, could possibly be reused and recycled. In addition, rural buildings, like the existing barn, would normally be expected to be seen in open countryside locations. As such, these matters are given very limited weight.

14. Overall, I conclude the proposed development would harm the character and appearance of the area, with particular regard to the designated Area of Great Landscape Value. I consider that the benefits would not outweigh the identified harm to the rural character and appearance of the site and the surrounding area that would result from the appeal proposal. Therefore, the proposal would conflict with Policies S2, S22 and EN2A of the Local Plan, which, amongst other matters, seek that development to be sympathetic to local character with regard to landscape setting, including the landscape character of the designated Area of Great Landscape Value.

Other Matters

15. I have considered the appellant's concern about anti-social behaviour, rural crime and animal welfare. Whilst I can appreciate the concerns of the appellant, there are other alternative designs and means which could address the issue without resulting in the harm that I have identified.
16. The appellant suggests that the proposal is to enhance the access to serve the dual purposes of accessing both the stable and bungalow. However, the drawing provided shows little evidence to demonstrate that.
17. I acknowledge the appellant's concerns over the Council's handling of the applications. However, this is not a matter that I can consider under this planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

18. For the above reasons, I consider that the appeal proposal would be more harmful to the character and appearance of the surrounding area than the fallback scheme. It therefore does not justify the above identified conflict with the development plan, when read as a whole, and there are no other material considerations of sufficient weight to warrant a decision otherwise in accordance with the development plan.
19. Therefore, I conclude that the appeal should be dismissed.

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INSPECTOR