



Appeal Decisions

Site visit made on 31 March 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal A Ref: APP/Q1153/W/24/3350956

Horrathorn Farm, Road from Higher Gorhuish to Northcote Cottage Cross, Northlew, Devon EX20 3BT

- 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 C Voaden against the decision of West Devon Borough Council.
 - The application Ref is 2240/23/FUL.
 - The development proposed is siting of 3no. dwellinghouses.
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Appeal B Ref: APP/Q1153/W/24/3350949

Horrathorn Farm, Road from Higher Gorhuish to Northcote Cottage Cross, Northlew, Devon EX20 3BT

- 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 C Voaden against the decision of West Devon Borough Council.
 - The application Ref is 2239/23/FUL.
 - The development proposed is provision of 2no. dwellinghouses and associated works.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals relate to adjacent sites within Horrathorn Farm. Whilst Appeal A relates to the siting of 3no dwelling houses and Appeal B the provision of 2no dwellinghouses, both raise similar issues. I have considered each proposal on its individual merits based on the evidence before me. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Background and Main Issues

4. The Council has granted Prior Approval¹, in respect of the change of use of agricultural building to 4 dwellinghouses (ref 3424/22/PDM), and a further Prior Approval in respect of the change of use of agriculture building to 1 dwelling house (3420/22/PDM) (the Class Q fallback). Consequently, the main issues are:
 - the effect of the proposals on the character and appearance of the area;

¹ Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015.

- whether the appeal sites would be a suitable location for the proposals, with regard to the local development strategy and accessibility to services and facilities;
- whether the proposals would provide a suitable housing mix with particular regard to the local housing need;
- whether the proposals would provide suitable living conditions for future occupiers, with particular regard to privacy;
- whether the proposals would comply with policies that seek to deliver low carbon development; and
- if there is any harm, whether this is outweighed by other considerations, particularly whether there is a fallback position for alternative proposed developments.

Reasons

Character and appearance

5. The appeal sites form part of a farmstead and consist of an area of land containing a yard and agricultural buildings, located off a long track. The surrounding area is characterised by undulating agricultural land, punctuated by occasional scattered isolated farmsteads and dwellings resulting in a highly rural and tranquil character.
6. The proposals would introduce five detached dwellings and associated garages arranged with four dwellings adjacent to each other alongside the access drive, with the fifth dwelling at the head of the drive. Such a layout would bear minimal resemblance to the scattered pattern of residential built form in this countryside setting. Indeed, the layout of residential development would read almost akin to a suburban residential cul-de-sac.
7. Moreover, the arrangement of garden areas, positioning of garages, vehicular parking, and associated domestic paraphernalia would further contribute to a suburban character.
8. The proposed dwellings would incorporate some high-quality design elements as well as design influences from utilitarian buildings. I have also been made aware by the appellant of other developments of dwellings in the countryside that have taken a similar design approach. Nevertheless, whilst some landscaping would be incorporated including hedgerow planting, I observed that the proposals would be visible in the wider landscape where a combination of suburban layout, form, and eye-catching domestic features such as significant amounts of glazing would be at odds with, and harmful to the rural character of the area.
9. The existing agricultural buildings on the sites are of a functional design that are typical of modern agricultural buildings that could be expected within a rural location and are of inherently rural character. They therefore have an appropriate sense of place, which the appeal schemes would not. As such, I do not find that the appeal schemes would result in a visual enhancement to the site compared to the existing arrangements.
10. Consequently, I conclude that the proposals would cause harm to the character and appearance of the area and would therefore be contrary to policy DEV20 of

the Plymouth and South West Devon Joint Local Plan 2014-2034 (LP). This policy, amongst other matters, requires proposals to be of good quality design that positively contributes to the landscape.

Location

11. The appeal sites are within a countryside location, approximately 2 miles from Northlew Village, and 6 miles from Okehampton. LP Policy TTV26 provides the Council's policy framework for guiding development within the countryside and in order to protect its special characteristics and role, only permits development in certain exceptional circumstances.
12. These include where they secure the re-use of redundant or disused buildings and brownfield sites; or secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area.
13. In this regard and notwithstanding the Class Q fallback, the proposals before me do not relate to the re-use of buildings. Furthermore, the National Planning Policy Framework (Framework) outlines agricultural buildings are excluded from the definition of brownfield land. Moreover, even if the proposals incorporate sustainability features, I have found in the above main issue that the proposals would in any case be harmful to the character and appearance of the area.
14. Therefore, even if the proposals were to accord with other requirements of LP Policy TTV26(2), no exceptional circumstances as required within LP Policy TTV26(1) have been demonstrated.
15. Furthermore, the appeal sites are a significant distance from services and facilities, accessed via a network of often narrow, winding and undulating country lanes which lack street lighting or pedestrian pavements. This would discourage pedestrian or cycling use, particularly during hours of darkness or inclement weather. Additionally, whilst the proposals would provide Electric Vehicle (EV) charging points, there is no certainty that future occupiers would utilise EVs and no nearby bus stops or public transport links have been highlighted to me.
16. Subsequently, even if homeworking is now more prevalent, I find that given the limited accessibility, future occupants of the appeal schemes would be likely to utilise private vehicles to meet their day-to-day needs, with an increase in travel by private vehicle being a likely consequence of the appeal scheme.
17. I therefore conclude that the appeal sites do not provide a suitable location for the proposals with particular regard to the local development strategy and accessibility to services and facilities. Consequently, the proposal conflicts with LP policies SPT1, SPT2, TTV1, TTV26, DEV29 and DEV32. As well as the aims I have outlined above, amongst other matters these policies seek to encourage sustainable rural communities, ensure communities have reasonable access to a vibrant mixed-use centre, and are well served by public transport, walking and cycling opportunities.

Housing mix

18. LP Policy DEV8 seeks to ensure proposals meet local housing need and ensure that there is a range of housing appropriate to the area. On the evidence before

me, the Council's Strategic Housing Market Assessment suggests that household change to 2034 will present a need for smaller homes that meet the needs of a broader cross-section of the Council's communities, particularly couples with no children and single person households. Furthermore, housing data that is before me from the 2021 Census indicates a high proportion of three or more bedroom properties in the area, and very high under occupancy of existing housing.

19. Additionally, a high proportion of four or more bedroom homes, under-occupation and inherent unaffordability of such to those on lower incomes is also highlighted within the Plymouth & South West Devon Joint Local Plan Supplementary Planning Document (SPD) 2020.
20. The proposals would result in 5 large family sized dwellings. Although the appellant indicates that demand has been shown for the dwellings, and additional space and good layout may lead to well-being benefits, no evidence has been provided as to why the appeal sites cannot bring forward dwellings which would better meet the demonstrable housing need of the area.
21. The appellant has also received a number of enquiries from people expressing an interest in 'self-build home' (SBH) projects at the appeal sites. SBH is supported by LP Policy DEV9 providing they meet the over-arching sustainable development, general amenity and design policies. There is no mechanism before me that would guarantee the schemes would meet the definition of self-build or custom build homes. Nevertheless, even if I was satisfied that the development would be delivered as a form of SBH I have found in the main issues above that the proposal would harm the character and appearance of the area, and result in a dependency on private vehicles.
22. Although the proposals relate to a relatively small development and any harm to the Council's housing mix would be minimal, it would nevertheless further perpetuate an imbalance in the housing stock. Consequently, the proposals would not provide a suitable housing mix with regard to the local housing need. Accordingly, the proposal conflicts with the requirements of LP Policy DEV8, which seeks, amongst other things, to ensure development meets local housing needs in the plan area.

Living conditions

23. LP Policy DEV1 seek to ensure that new development, amongst other things, provides satisfactory privacy for residents, with unacceptable impacts being judged against the level of amenity generally in the locality. The SPD provides further guidance on aspects such as balconies, such as those proposed, outlining that balconies can be unacceptable in higher density areas because of the impact they can have on the privacy of neighbours' gardens or habitable rooms.
24. The layout of the dwellings would result in some mutual overlooking, particularly of garden areas. However, the available garden spaces are sizeable and would allow some areas of relative privacy. In combination with separation distances and arrangement of windows of non-habitable rooms, levels of overlooking would not be at a level unexpected for such a development.
25. Consequently, I conclude that the proposals would provide suitable living conditions for future occupiers, with particular regard to privacy and comply with LP Policy DEV1, the purposes of which are outlined above.

Low carbon development

26. LP Policy DEV32 seeks to deliver low carbon development through a variety of measures. This includes identifying opportunities to minimise the use of natural resources in the development over its lifetime, and proposals be considered in relation to the 'energy hierarchy'.
27. Furthermore, the Climate Emergency Planning Statement 2022 (CEPS) includes mitigation measure M5. This states that *priority will be given to the reuse and retrofitting of buildings. Where an existing building is proposed to be demolished and rebuilt, the net overall carbon cost of the project should be offset within 25 years through carbon savings achieved by operational use of the replacement building.*
28. The CEPS is not part of the statutory development plan. However, it has been subject to a public consultation exercise and corresponds with the climate change and carbon reduction objectives of the LP. It is therefore a material consideration to which I afford moderate weight.
29. The appellant's Carbon Reduction Statement outlines that the proposed dwellings would exceed current requirements of Building Regulations, take a 'fabric first approach' and would incorporate a number of key characteristics which would result in an energy efficient development. Furthermore, tree and hedge planting would take place, and I am informed the proposals would reuse some materials from the demolished agricultural buildings.
30. SAP calculations have been provided as referred to within the supporting text of CEPS M5 which demonstrates that at best each dwelling would offset about 24 tonnes of CO₂ over 25 years. Nevertheless, the extent of upfront emissions from demolition of the existing buildings and rebuild have not been provided.
31. Notwithstanding the demonstrated operational efficiency credentials of the proposed dwellings, without such calculations, I cannot be sure of the net overall carbon cost of the scheme. As such, it has not been demonstrated that the proposals would provide an overall carbon benefit over the conversion of the existing agricultural buildings, as proposed within the Class Q fallback, and minimise the use of natural resources in the development over its lifetime.
32. Even if the Council did not request further information in relation to carbon cost, I am required to consider the appeals on the basis of the evidence before me.
33. I therefore conclude it has not been adequately demonstrated that the proposals would comply with LP Policy DEV 32, which seeks, amongst other matters, to deliver low carbon development.

Other considerations

34. On the evidence before me, I find there is a realistic prospect of the Class Q fallback being implemented at the appeal sites. As such, it constitutes a clear fallback position against which to assess the appeal proposal.
35. The proposals would result in the same number of dwellings as that capable of being delivered under the Class Q fallback position. Therefore, the reliance of future occupiers of the proposals upon private car travel to access services and facilities would be substantially the same as for the Class Q fallback. I therefore

find that the appeal proposals' conflict with the local development strategy, would be outweighed by the Class Q fallback having substantially the same level of harm in this regard.

36. Nevertheless, the proposals before me would result in development that would cover a greater floor space than the Class Q fallback, with a more suburban layout and appearance. The Class Q fallback would utilise existing buildings and would result in a development that would remain more rural in character and appearance and less harmful to the surrounding area than the appeal proposals.
37. The proposals would also result in large dwellings which would further perpetuate an imbalance in the Council's housing stock. The Class Q fallback would provide smaller dwellings which would provide a betterment in housing mix with regard to the demonstrated local housing need.
38. The proposals would undoubtedly provide energy efficient dwellings. Nevertheless, I have no detailed information about the carbon cost of the proposals and therefore if there is, or indeed the extent of any overall betterment between the schemes. Nor has it been demonstrated that the proposals would result in significantly improved living conditions for future residents of the proposals compared to the Class Q fallback.
39. The proposals would provide resilient dwellings that provide adequate space to achieve good living standards and would contribute towards the Government's objective of significantly boosting the supply of homes. The proposals would also contribute towards the local economy, both during the construction period, and from future occupation. However, given the small scale of the schemes, the weight that can be attributed to these benefits are modest.
40. Taking all the above into account, I conclude that the totality of the harms identified above in respect of Appeals A and B are not outweighed by other considerations, including the Class Q fallback for alternative proposed development.

Other Matters

41. The appellant has drawn my attention to a number of other schemes, which they state are on similar sites to the appeal sites. I have limited details on those applications referred to, aside from the 'Spreyton' site. Notwithstanding, they are for different sites, with differing relationships with the surrounding landscape and, in the case of Spreyton, of varying scales and therefore varying benefits. In any case, the appeal schemes have been determined on their own merits on the basis of the evidence before me.

Conclusion

42. For the reasons given above, I find that the proposed developments would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, outweigh the identified harm and associated development plan conflict. Therefore, the appeals are dismissed.

S Harrington

INSPECTOR