



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: 28th April 2025

Appeal Ref: APP/P1133/W/24/3357996

Honey Barn, Honey Lane, Newton Abbot, Torbay

- 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 John Wallace against the decision of Teignbridge District Council.
 - The application Ref is 24/00502/FUL.
 - The development proposed is 'Extension to residential property (outside its curtilage) on agricultural land'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my site visit, I saw that the existing building is being used for vehicle and material storage, instead of 'residential property' as suggested. As the information before me shows that a prior approval under Class Q was granted for the change of use of an agricultural building to a dwelling, I have therefore dealt with the appeal on that basis.

Main Issues

3. The main issue is the effects of the proposed development on the character and appearance of the countryside.

Reasons

4. The appeal site is located on the eastern side of Honey Lane, a narrow rural lane, situated in the open countryside. It is currently occupied by a barn. While the building is not particularly prominent within the street scene, glimpses of its elevations are visible when travelling along the lane. A small area of hardstanding is situated near the existing vehicular access. The site is enclosed by hedges and trees along the roadside boundary, with a wire fence to the northeast, it is otherwise surrounded by open agricultural fields.
5. The proposed extension would be single storey in height, the drawings provided shows that the extension would have a similar roof form and match materials to the converted dwelling. Its ridgeline would be slightly lower than that of the existing building and would be positioned perpendicular to the barn, forming an L-shaped layout. This configuration would accommodate three bedrooms within the extension, while most of the existing building would be converted into an open-plan living space. In addition, part of the appeal proposal would enlarge the

outdoor amenity space, which was permitted under Class Q scheme, onto adjacent agricultural land.

6. Although the roof form and matching materials would help integrate the new extension with the converted dwelling, the proposed extension would be substantial in scale. I appreciate that the proposed extension may help in defining and possibly maintaining a clear boundary with the agricultural land. However, due to its orientation and substantial scale, the proposed development would create a disproportionate addition that undermines the simple linear form of the existing building. Moreover, it would encroach further into the agricultural fields.
7. The proposal would result in a disproportionately large addition to the existing barn, further encroaching into the open countryside, and that would significantly harm the rural character of the area, contrary to Policies S1, S2 and S22 of the Teignbridge Local Plan which, amongst other matters, seek that development is designed to the high standard to support the creation of attractive, vibrant places with a distinctive character.

Planning Balance

8. The appeal proposal would materially harm the distinctive rural character and appearance of the area. Given the scale of development in the wider setting I attach moderate weight to the identified harm.
9. Set against the harm, the appeal proposal would bring some environmental benefits associated with new planting and biodiversity enhancement, together with some improved energy performance on the resulting building, strengthened sustainability credentials, and a potential reduction in travel requirements for the appellant. However, as the proposal seeks to extend an already consented scheme, which involves the reuse of the existing building and provides adequate outdoor amenity space, I can therefore afford the benefits limited weight.
10. The appellant suggested that the appeal proposal is directly linked to their continued management of the surrounding agricultural land as part of rural diversification. Nevertheless, I am mindful that in general planning is concerned with land use in the public interest. It is also probable that the proposed development would remain long after the current personal circumstances cease to be material. For this reason, I therefore find that this factor is not sufficient to outweigh the harm that I identified.
11. The appellant has drawn my attention to other properties in the area. The mentioned schemes pertain to distinct types of development – one being a rural worker's dwelling and the other a replacement dwelling. These schemes are two-storey in height, which differs from the appeal proposal. Furthermore, they are not seen within the same context, and I do not have full details of these schemes and the circumstances under which they were constructed. Therefore, I do not find them comparable to the appeal development before me and they do not change my conclusion on this main issue.
12. The appellant also suggests that the proposal would reduce the likelihood of future piecemeal or speculative development in the area. However, there is little information to substantiate this claim. Notwithstanding this, a speculative proposal could still be submitted regardless the outcome of this appeal.

13. I consider that the benefits would not outweigh the identified harm to the character and appearance of the site and the area that would result from the appeal proposal.

Other Matters

14. I have considered the need for additional accommodation for the appellant and his family, which have been indicated, may be age-related. Accordingly, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age.
15. In this regard, the proposed development may provide a larger market dwelling for the appellant and his family. Notwithstanding this important consideration, it does not follow from the PSED that the appeal should succeed, particularly, as there are other means by which family need may be addressed, without resulting in the harm identified above, in respect of character and appearance of the area. Balancing these effects with the appellant's need for the development, I am satisfied dismissing the appeal would be a proportionate response in this case.

Conclusion

16. The proposed development conflicts with the development plan and there are no material considerations to indicate that the decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

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INSPECTOR