



Appeal Decision

Site visit made on 9 April 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025.

Appeal Ref: APP/U1105/W/25/3358310

Land South of Greendale Farm Shop, Sidmouth Road, Farringdon, Devon, EX5 2JU.

- 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 F W S Carter and Sons Limited against the decision of East Devon District Council.
 - The application Ref is 24/0225/FUL.
 - The development proposed is the retention of the Mud Ventures Building.
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of the Mud Ventures Building on land south of Greendale Farm Shop, Sidmouth Road, Farringdon, Devon, EX5 2JU, in accordance with the terms of the application, Ref 24/0225/FUL, and subject to the following conditions:
 - 1) The development hereby permitted shall comply with the following approved drawings:

8786 – OSM	dated August 2024
8768 – LP	dated January 2024
8786 – 01	dated December 2023
8786 – 02	dated December 2023
 - 2) The building hereby approved shall be used only in conjunction with and ancillary to the operation of the Greendale Farm Shop.

Procedural Matter

2. The appeal seeks permission to retain a building close to the Greendale Farm Shop as a children's play facility. The retrospective status of the proposal has no influence upon the way in which the planning issues arising are considered in this appeal.

Main Issues

3. The main issues are: the principle of the appeal proposal with respect to adopted planning policy concerning the location of development; its visual impact on the character and appearance of the site and the surrounding countryside landscape; its potential to generate additional road traffic; and any planning benefits that would result from the retention of the Mud Ventures Building.

Reasons

Principle

4. There is no argument that the appeal building has been constructed, without the support of any development plan allocation, in a location outside any settlement, where Strategy Policy 7 of the East Devon Local Plan (EDLP) prohibits new development, in order to protect the countryside landscape.
5. The retention of the Mud Ventures Building would thus be unacceptable in principle and contrary to the development plan, so that the planning permission sought in this appeal should not be granted. That is unless, in terms of established planning law, material considerations indicate otherwise. This means, in effect, that there must be substantive planning benefits, sufficient to be judged to outweigh any planning harm.

Visual Impact

6. The building is clearly associated visually with the Greendale Farm Shop complex, standing relatively close to the very large main building to the north, and beside the outdoor livestock paddocks and car park to the north-west. To the south is the large NHS vaccination centre building, with other major structures of the Greendale Business Park to the south-east.
7. The Mud Ventures Building is seen in the context of this extensive built development. It is constructed in the form of a timber-clad barn, broadly in keeping with the other buildings of the Greendale Farm Shop as well as with the generally rural setting.
8. As a result, I consider that the visual impact of the disputed building on the rural landscape is minimal and results in only slight conflict with Policies D1-2 of the EDLP, with respect to its design and the policy imperative to protect local distinctiveness and the landscape.

Road Traffic

9. The Greendale Farm Shop is clearly well-established and attracts large numbers of car-borne customers, as was evident on the day of my visit. Aside from its retail shop function, the complex offers extensive opportunities for outdoor relaxation and children's play, with restaurant and takeaway food and views of a range of domestic farm and exotic animals. It is thus already a major destination attraction.
10. It is the stated intention of the Appellants that the Mud Ventures Building will only be used in conjunction with the other facilities already present on the Farm Shop site, and this can be required by planning condition. It appears unlikely, in any event, that customers would journey to the site purely to avail themselves of the Mud Ventures Building.
11. Accordingly, I see no significant prospect that the proposed retention of the Mud Ventures Building would generate additional traffic to and from the Farm Shop.
12. In this respect I do not consider that the development would result in any significant conflict with the provisions of Strategy Policy 5B or Policy TC2 of the EDLP, with

respect to accessibility and sustainable transport, compared with the Farm Shop attraction as it already exists.

Benefits

13. The Mud Ventures Building, for the first time, provides for all-weather children's play at the Farm Shop complex, adding to its potential continued success as a significant popular attraction, contributing to the local economy. This is broadly in line with the provision of paragraph 108 of the National Planning Policy Framework (NPPF), in favour of development supporting a healthy inclusive lifestyle.
14. I consider that this factor amounts to a slight but material benefit arising from the addition of the Mud Ventures Building to the Greendale Farm Shop development.

Planning Balance and Conclusion

15. All the development plan policies cited above are essentially consistent with the NPPF and provide a proper basis for assessing this appeal.
16. Whilst the new Mud Ventures Building is contrary to the development plan in principle, due to its rural setting in conflict with Strategy Policy 7, it has minimal practical impact on the character or appearance of the rural landscape or on traffic generation.
17. Thus, any adverse planning impact of the retention of the Mud Ventures Building would be slight. Against that, the planning benefit I have identified are also slight.
18. In my overall judgement however, the identified material planning benefit in this case carries sufficiently greater weight than the planning harm and overrides any conflict with the development plan as a whole.

Conditions

19. Conditions are appropriate to ensure continued compliance with the submitted plans and to restrict the Mud Ventures Building to use ancillary to the operation of the Greendale Farm Shop, in line with the stated intention of the Appellant Company.

B J Sims

INSPECTOR