



Appeal Decision

Site visit made on 27 May 2025

by **Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/Q1153/D/25/3363778

The Old Shippon, Lower Hill Farm, Lamerton, Tavistock PL19 8RR

- 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 and Mrs Fairclough against the decision of West Devon Borough Council.
 - The application Ref. is 2751/24/HHO.
 - The development proposed is demolition of store & erection of a two-storey building providing ancillary domestic garaging, workshop, and storeroom above.
-

Decision

1. The appeal is allowed, and planning permission is granted for demolition of store & erection of a two-storey building providing ancillary domestic garaging, workshop, and storeroom above, at The Old Shippon, Lower Hill Farm, Lamerton, Tavistock PL19 8RR in accordance with the terms of the application, Ref. 2751/24/HHO and the plans submitted with it, subject to the following conditions.
 - 1) The development hereby permitted shall begin not later than three years from the date of this Decision;
 - 2) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority;
 - 3) No development shall commence until amended plans have been submitted to and approved in writing by the Local Planning Authority. These plans shall show the proposed development with the removal of the hitherto proposed dormers, both in terms of elevations and floor plans and shall therefore comprise amendments to Drawing Nos. 600/03; 600/04; 600/05 Rev. A. The development shall thereafter be carried out in full accordance with the approved amendments.
 - 4) The development hereby permitted shall not be used other than for a garage, workshop or store incidental to the residential use and occupation of the property known as The Old Shippon, Lower Hill Farm, Lamerton PL19 8RR and shall not be used for any form of residential accommodation.

Procedural Matter

2. In appeal submissions on behalf of the appellants, which the Council will have seen, amendments to the scheme have been proposed to alter the form and design of the proposed building by the omission of the dormers from the building. As the only objector to the development is the Council and one of its main concerns relate

to these dormers, I consider that I can agree to this proposed modification under the Wheatcroft Principle.⁽¹⁾

Main Issue

3. The main issue is whether the proposed building would be of an acceptable character and appearance as regards (i) visibility from the road and lack of subservience to the existing dwelling; (ii) not being typical of a traditional agricultural building, and (iii) inappropriateness in terms of its historic and landscape setting. All three matters are materially affected by the amended scheme, but I have not assumed that this has the effect of negating any of the three reasons for refusal in the Council's Decision Notice.

Reasons

4. Turning firstly to item (i) of the main issue, the appeal building would be one of a number on the site and would be partially screened by others. Of particular significance is that it would be seen along with the nearby large and modern agricultural building, and this would have the effect of reducing any perception of undue scale. The existing cream painted building, in itself not particularly in keeping with its setting, would be replaced, and the proposed use of natural stone and slate would lessen the visual impact. Nor do I consider that the appeal building's juxtaposition with The Old Shippon would be one that would invite an unfavourable comparison in terms of a lack of subservience, especially given the dominance of the adjacent agricultural building which provides the context in which the appeal building would be read.
5. As regards item (ii), I accept that two-storey buildings are less common in the context of a group of agricultural buildings, but they are by no means unusual. Moreover, the simple design and the now proposed removal of the dormer or 'chicket' windows would mean that the building is unlikely to draw the eye from the public realm as being in any way out of place. I also note that as part of the amendment to remove the dormer windows, the height of the proposed building's ridge and eaves has been reduced by almost 0.8m and consider that this is also helpful as regards item (i).
6. Turning finally to item (iii), Lower Hill Farmhouse is a Grade II listed building but is positioned a substantial distance to the north of the proposed building with intervening buildings, areas of garden and driveways. At my visit I spent time walking around the whole of the site and I note that the Council's Heritage Specialist had the disadvantage of making a desk-based appraisal, albeit with the case officer's site photographs.
7. Because of the separation distance and the intervening buildings and land uses that affect any line of sight between the farmhouse and the appeal building, I do not consider that the setting of the listed building would be affected. Again, the dominant presence of the large agricultural building is significant in any appraisal of the site. Moreover, the extent to which the Council's submissions carry weight in this and indeed in all three items of the main issue is reduced by the amended scheme's removal of the dormers.

(1) Bernard Wheatcroft Ltd v Secretary of State for the Environment [JPL, 1982, P37]

8. As regards the effect on The Old Shippon, I have addressed this in paragraph 4 above, other than to observe firstly that the Inspector in the appeal against the refusal of application 2529/20/CLP was not convinced this was a curtilage listed building and secondly that the appellants continue to maintain that it isn't.

Conclusion

9. The appellants have amended the appeal scheme under the Wheatcroft Principle. Although the Householder appeal procedure is not conducive to further representations, it is clear that the dormers were considered incongruous by the Council. Their removal is a significant improvement in the proposal and not prejudicial to the Council's case. Indeed, I have taken into account that the Council's objections extended to other design considerations and in particular the two-storey height.
10. However, from all that I have seen and read I conclude, on balance, that the proposed building would have an acceptable character and appearance as regards its design, scale, visibility from the public realm, and its impact on its historic and landscape setting.
11. Accordingly, there would be no harmful effect in conflict with Policies TTV29, DEV20 & DEV21 of the Plymouth and South West Devon Joint Local Plan 2014-2034 or with Government policy in the National Planning Policy Framework, revised December 2024, in particular Section 16: 'Conserving and Enhancing the Historic Environment'.
12. I shall therefore allow the appeal. A condition requiring the Council's approval of external materials will safeguard visual amenity. A condition requiring the submission of amended plans and the development to be carried out in accordance with them will confirm the application of the Wheatcroft Principle in this appeal. Finally, a condition restricting the use of the building to that applied for will prevent subsequent alterations and conversion to residential use which would inappropriately change the basis on which the appeal is allowed.

Martin Andrews

INSPECTOR