



Appeal Decision

Site visit made on 4 September 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Appeal Ref: APP/P1133/W/25/3368351

Land South East of Hill Farm, Pound Lane, Whitestone, Devon, EX4 2JN

- 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 Hoer against the decision of Teignbridge District Council.
 - The application Ref is 24/02099/FUL.
 - The development proposed is the demolition of agricultural building for change of use to residential and construction of self-build detached house with a detached double garage and annexe including change of use of part of the site to residential amenity land, and associated groundworks.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to various policies contained within the emerging local plan. However, I note that the emerging plan is still at examination, and as such, it is not yet at an advanced stage of preparation and any objections to the proposed policies would not yet have been fully resolved. I have therefore assessed the proposed development against the adopted policies that are also provided on the decision notice. That said, given the reasons for dismissing the appeal, affording greater weight to the emerging policies would not have changed the outcome.

Main Issues

3. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; (ii) whether the proposed development would include adequate provision for surface water drainage; and (iii) the effect of the proposed development on protected species.

Reasons

Character and Appearance

4. The appeal site is located in a highly rural area and in a prominent position on the side of a well defined valley. The wider surroundings are classified as an Area of Great Landscape Value. In general, the area is characterised by attractive rolling landscape, which is interspersed with farmsteads and other buildings, the majority of which are of a traditional design.
5. The appeal site is currently occupied by a barn which contains wooden cladding, low level blockwork and a corrugated sheet roof. Planning permission was previously granted to convert the barn into a single dwelling. The barn conversion

would retain much of the current exterior appearance and it would therefore continue to assimilate well into its surroundings.

6. The proposed development before me is quite different and would involve the demolition of the barn and the erection of a new dwelling, including an annexe and car port. I acknowledge that the height of the proposed home would not be dissimilar to the existing barn. However, when looking at the approved plans, it is readily apparent that the proposal would add a significant amount of additional built form onto the site. Furthermore, despite the use of some traditional materials, it is clear that the dwelling would have a highly modern appearance, particularly as a result of the extensive glazing within the southern and western elevations. Indeed, the amount of glazing would clearly exceed the amount permitted as part of the barn conversion.
7. As a result of its additional size and design, the proposed dwelling and annexe would inevitably be seen as an incongruous intrusion into the landscape. The prominence of the site, and in particular its visibility as part of medium and long-range views from across the valley, means that the harm would be enduring and significant. I do not consider that additional planting would mitigate this issue to any great extent. Taking all of the evidence into account, I find that the existence of the fallback position to convert the barn does not provide justification for allowing this appeal.
8. I therefore conclude that the proposed development would harm the character and appearance of the area. As such, it would conflict with Policies S1, S2, S22 and EN2A of the Teignbridge Local Plan 2013 – 2033 (the LP). The relevant aspects of these policies seek to preserve character and appearance, including within Areas of Great Landscape Value.

Drainage

9. The proposed development makes provision for surface water to be held in an on-site attenuation tank prior to discharge to a local watercourse. However, Planning Practice Guidance (PPG) is clear that regard should be given to the hierarchy of drainage options. The hierarchy sets out that consideration should initially be given to the possibility of allowing surface water to infiltrate into the ground. It appears that the appellant has not provided any evidence in relation to this possibility as part of their application.
10. While I understand that this issue could have been resolved through greater dialogue, the guidance contained within the PPG is readily available to applicants and represents an important consideration.
11. Given the lack of evidence in relation to this matter, I have no option but to find conflict with the relevant aspects of LP Policy EN4 which seek to ensure that new developments make adequate provision for surface water drainage.

Protected Species

12. The appellant has provided two reports that seek to address ecological issues. The first, prepared by South West Ecology in April 2023, sets out that the existing barn has negligible potential for bat roosts or nesting birds. Furthermore, a Preliminary Ecological Appraisal (PEA) was produced by Lee Ecology in February 2025.

13. The PEA reaffirms the findings of the South West Ecology Report in relation to bat roosts within the barn. The report does suggest that it is likely that bats fly around the peripheries of the site on occasion, but that no negative impact on bat behaviour is anticipated subject to a sensitive lighting scheme being implemented. In particular, the PEA suggests that artificial light spillage should be minimised to the northern and eastern boundaries of the site. It is notable that the approved plans show that there would be a much lower amount of glazing within the northern and eastern elevations, thereby helping to adhere to this suggestion. While there would be extensive glazing within the southern and western elevations, I am satisfied that this could be managed by implementing a lighting scheme. The PEA also concludes that adverse impacts on other species can either be discounted or avoided by the imposition of certain measures.
14. As result of the findings of the PEA, I am satisfied that the proposed development would not result in harm to protected species subject to the imposition of suitably worded conditions. The proposal would therefore conform with LP Policy EN8 which seeks to protect biodiversity.

Other Matters

15. The appellant has provided examples of other developments that have been permitted in the area. I do not have the full details of those schemes before me. However, while there might be some examples of more modern housing in rural areas, this does not form the predominant character. Moreover, I have set out in this instance that the visibility of the site amplifies the harm. I therefore do not consider that the presence of other modern dwellings elsewhere provides justification for allowing an appeal where I have found harm.
16. The site is noted as being within 10km of the Exe Estuary Special Protection Area. However, as I am dismissing the appeal, I am not required to address this matter further.

Conclusion

17. I have found that the appeal proposal would cause harm in relation to character and appearance and that inadequate information has been supplied in relation to surface water drainage. Consequently, the proposal would conflict with the development plan taken as a whole, notwithstanding that I have not found harm in relation to protected species. It is possible that there might be some benefits in relation to energy efficiency, sustainable design and biodiversity, however given the scale of the proposal, these benefits would be very limited. The proposed development would not result in a net increase in homes when taking account of the extant permission for the barn conversion. However, even if the social and economic benefits of providing a single new dwelling were taken into account, the overall benefits would still be limited, and as such, the outcome of the appeal would be the same.
18. Accordingly, there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR