



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: 23 September 2025

Appeal Ref: APP/P1133/W/25/3362238

**Westlake Farm, Road from Broadoak to Cofford Cottages, Kenton, Devon
EX6 8HS**

- 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 JMS Construction (West) Ltd against the decision of Teignbridge District Council.
 - The application Ref is 24/01842/FUL.
 - The development proposed is the demolition of barns to create five new dwellinghouses, following grant of Class Q Prior Approval (ref. 21/02670/NPA).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by JMS Construction (West) Ltd against Teignbridge District Council. This application will be the subject of a separate decision.

Preliminary Matters

3. The Council's decision notice refers to 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 Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is located in a highly rural area and forms part of an Area of Great Landscape Value. Prior Approval was previously granted to convert the existing barns on the site to form five dwellings. While this has since expired, the ability to convert the barns remains a realistic prospect. As such, it forms a legitimate fallback position. The previously permitted scheme would have resulted in some changes to the external appearance of the barns. However, it is clear that their existing character would have largely been retained, and as a result, the

development would have assimilated positively into the surrounding rural landscape.

6. The appeal scheme before me would involve the demolition of the barns and the construction of five dwellings around a central courtyard area. Plots two to five would be built as two pairs of semi-detached two storey homes with pitched roofs. Plot one, which would be a detached dwelling, would have an adjoining garage, as would plot five. All five dwellings would contain a fairly considerable amount of glazing, including at first floor level where large picture windows would be installed. Indeed, I note that, based on the appellant's own calculations, the proposed development would contain more glazing than the previously permitted barn conversion. When considered collectively, it is my view that these features would provide the proposed development with an appearance that would be more akin to a suburban environment rather than a highly rural area. Indeed, while the provision of a courtyard area would be reasonable, the provision of several car ports within it would also add an additional suburban feel.
7. The Council's Landscape Character Assessment notes that the relevant area, referred to as Exe Estuary and Farmlands, includes the use of several building materials or finishes, including slate, render and some brick. Plots two to five of the proposed development would all have a brick exterior at ground floor level with wooden cladding above. While these materials might all be individually present as part of existing buildings in the surrounding area, it seems to me that this split arrangement would look quite unusual in a rural setting.
8. As such, it is clear that certain elements of the proposal would appear as being highly incongruous and out of place within the surrounding landscape. With this in mind, it is inevitable that, in this regard, the proposal would be more harmful than the previously permitted barn conversion. I do acknowledge that views into the site from public vantage points are limited, and that there is potential for additional planting. However, this would only reduce the identified harm rather than remove it entirely. The appellant has provided a plan that shows some amendments to the roof design of the proposed garages and alternative boundary treatments. However, these alterations would not mitigate the harm I have identified. Overall, I consider that the harm to character and appearance would be moderate in nature.
9. The appellant has sought to draw my attention to other schemes in the immediate area. In particular, a recently constructed dwelling, known as Little Mowlish, is situated not far from the appeal site. This dwelling does share some similarities with the proposed homes in plots two to five in terms of materials used. However, the context is quite different given that Little Mowlish is a single detached home and does not form a pair of semi-detached buildings. It is also not situated around a courtyard with associated carports. As such, this scheme is not directly comparable. Moreover, the existence of that dwelling does not justify allowing a scheme where I have identified harm. Meanwhile, a dwelling at Oakridge Farm does contain quite extensive glazing in certain areas. However, the overall impression is of a building that conforms well with the rural landscape, particularly as a result of the rendered finish and large gables. Again, it is therefore quite different from the appeal scheme.
10. Taking all of these factors into account, I conclude that the proposed development would result in harm to 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 relevant aspects of these policies seek to preserve character and appearance, including within Areas of Great Landscape Value.

Other Matters

11. The location of the proposed package treatment plant formed an additional reason for refusal. However, the Council's appeal statement acknowledges that the plant could be located elsewhere on the site and that this could be resolved via condition. I have no reason to disagree with that assessment.
12. The Grade II* listed Mowlish Manor is located some distance away from the appeal site. Its significance is derived in part from its historic appearance. However, given the distance between the listed building and the appeal site, and the extensive tree covering which means that there is no inter-visibility between the two, I am satisfied that the appeal site is not within the setting of the listed building and that the proposed development would not result in harm to its significance.
13. The site is within 10km of the Exe Estuary Special Protection Area and Dawlish Warren Special Area of Conservation. However, as I am dismissing the appeal, I am not required to consider this matter further.

Conclusion

14. I have found that the appeal proposal would cause harm in relation to character and appearance. Consequently, the proposal would conflict with the development plan taken as a whole. In terms of betterment, over and above the fallback position, it is possible that there might be some benefits in relation to energy efficiency and sustainable design as well as enhanced 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 previously permitted barn conversion. However, even if the social and economic benefits of providing five new dwellings were taken into account, the overall benefits of the proposal would still be limited, and as such, the outcome of the appeal would be the same.
15. 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