



Appeal Decision

Site visit made on 28 August 2025

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/Q1153/D/25/3364895

Haxter Barn, Road from Fairfield to Denham Bridge, Buckland Monachorum, Devon PL20 7NW

- 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 N Churchill against the decision of West Devon Borough Council.
 - The application Ref is 3479/24/HHO.
 - The development is: proposed siting of ancillary accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above differs from the application form and is as it appears on the decision notice. The change has been agreed between the parties so I have proceeded on this basis.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty in England and Wales became "National Landscapes". The site is within the Tamar Valley National Landscape (TVNL) which was formerly the Tamar Valley Area of Outstanding Natural Beauty (the AONB).

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the area, including its effect on the landscape and scenic beauty of the TVNL;
 - Whether the proposed development would provide suitable living conditions for future occupiers, with particular regard to access arrangements; and
 - Whether the proposal would deliver a low carbon development.

Reasons

Character and Appearance

5. The proposed building would be sited next to Haxter Barn close to a small cluster of buildings located within the open countryside. Haxter Barn is constructed of natural stone, as are a number of walls adjacent to the site and in the wider area. Buildings nearby have pitched roofs with both gable and hipped forms with slate tiles.

6. The proposed ancillary building being prefabricated has not been specifically designed with the surrounding context in mind. The angular form, flat roof and timber cladding are at odds with the surrounding buildings in respect of both form and materials. As such the proposed building would appear out of keeping with the existing house and other buildings in the area.
7. The building would be visible from vantage points which are not solely private views. The proposed building would be screened by a wall on one side, however, due to its positioning, it would be difficult for any landscape screening to be introduced on the more open sides given the proximity of the adjacent lane. Whilst views from the wider area would be more limited, it would be prominent, and visually jar with the existing house on approach despite its subservient form. As a result, the proposal would be contrary to Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) which, amongst other things, requires developments to positively contribute to townscape and landscape avoiding significant visual impacts.
8. Regarding the effect on the TVNL, Policy DEV25 of the JLP requires that the highest degree of protection is given to protected landscapes including the Tamar Valley Area of Outstanding Natural Beauty. The policy gives great weight to conserving landscape and scenic beauty. The National Planning Policy Framework (the Framework) also directs that great weight should be given to conserving and enhancing landscape and scenic beauty of National Landscapes (NLs), which have the highest status of protection in relation to these issues.
9. Planning Practice Guidance requires that account is taken of the relevant Management Plan. The Tamar Valley AONB Management Plan 2019 – 2024 (TVMP) further requires development to conserve and enhance landscape character.
10. Furthermore, I have a duty under Section 245 of the Levelling-up and Regeneration Act 2023 to seek to further the statutory purposes of protected landscapes, including NLs.
11. I conclude that for the reasons above the proposed development would have a harmful effect on the character and appearance of the area. Whilst this would be fairly localised, I am required to give great weight to the conservation of the TVNL and the proposal would result in harm to landscape and scenic beauty. As a result, the proposal would also conflict with the requirement to seek to further the purposes of the NL. As such, it would not comply with Policies DEV20, DEV23 and DEV25 of the JLP, TVMP and the Framework.

Access

12. The drawings show the proposed building having two points of access, a door on the side and a set of patio doors on one end. The patio doors would open onto a garden area which would provide a safe point of egress.
13. The entry door would face towards the adjacent lane. Whilst the available space in front of this door may be limited, the traffic movements along the lane would be low given the number of dwellings using it. Occupants of the proposed building would need to be cautious when exiting but would have sufficient visibility to see if a car were approaching.

14. Given the low traffic movements on the lane, the slow speeds of vehicles along with the option of an alternative point of access I do not find that the proposal would result in an unsafe access arrangement for future occupiers. Therefore, the proposal does not conflict with Policy DEV1 of the JLP which, amongst other things, seeks to safeguard the health and amenity of local communities and ensure that developments are accessible. There is also no conflict with paragraph 135f of the Framework which seeks to achieve similar aims.
15. Policy DEV29 of the JLP is referenced in the officer report in respect of this matter but was not included in the reason for refusal. This is a transport policy with one of the considerations being the providing of safe access to and within sites, along with safe environments for walking. For the reasons given above I find no conflict with this policy.

Low Carbon

16. Policy DEV35 of the JLP requires developments to identify opportunities to minimise the use of natural resources as well as being considered in relation to the 'energy hierarchy' and reduce the energy load.
17. Limited information was submitted with the application to demonstrate how the proposals would meet the aims of the policy. Some additional information has been provided with the appeal stating that as a prefabricated structure it would be highly insulated and that the walls would be insulated with 'Superglass 36' insulation.
18. No details have been provided in respect of how resources such as water will be minimised or how any low carbon or renewable energy might be introduced. However, given the scale and type of the proposed development the condition suggested by the Council would be reasonable to secure the required measures.
19. I therefore find that through details supplied by condition, were the proposal to be allowed, the requirements of Policy DEV32 of the JLP could be satisfied in this instance.

Other Matters

20. It has been indicated that the submitted plans may not be accurate. As I am dismissing the appeal it has not been necessary to consider this matter further.

Conclusion

21. Even though I have found no harm in respect of the access or the approach to low carbon development, the proposal would nonetheless have an unacceptable effect on the character and appearance of the area including the TVNL. There are no other material considerations to outweigh this finding or the conflict with the development plan as a whole. Therefore, for the reasons given the proposal is unacceptable and the appeal is dismissed.

H Faulkner

INSPECTOR