
Appeal Decision

Site visit made on 24 September 2025

by **K Jones BA (Hons) DipLA CMLI**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/U1105/W/25/3367089

Blackenfields Farm, Lane To Blackenfields Farm, Luppitt, Devon, EX14 4UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by L Lush against the decision of East Devon District Council.
 - The application Ref is 23/1770/AGR.
 - The development proposed is a general purpose agricultural building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant's statement includes a Landscape and Visual Impact Assessment as an appendix, which was not before the Council when it made its decision. As technical supportive evidence, this assessment does not evolve or alter the scheme before me. As such, no parties would be unfairly disadvantaged by my acceptance of this information, and I have referred to it as needed.
3. Planning permission has been granted¹ for the formation of a new access immediately to the north of the appeal site. For the avoidance of doubt, while the access is shown on the appeal plans, I have not considered it further.
4. The provisions of Schedule 2, Part 6, Class A of the General Permitted Development Order 2015 (the GPDO) do not require regard to be had to the development plan. I have therefore had regard to the policies referred to in the evidence only in so far as they are material to the relevant prior approval matters.

Background and Main Issue

5. Schedule 2, Part 6, Class A of the GPDO permits the erection of a building, which is reasonably necessary for the purposes of agriculture, on agricultural land comprised in an agricultural unit of 5 hectares or more. For the appeal proposal, the main parties agree that these requirements are met, and I have no reason to take a different view. It is therefore not necessary to consider any further arguments regarding the functional need of the building. However, to be permitted under Part 6, Class A of the GPDO, the development must also accord with further limitations and conditions set out in paragraphs A.1 and A.2 of Part 6.
6. In this case, the proposal complies with the requirements in paragraph A.1. Under A.2(2)(i) the developer must, before beginning the development, apply to the local

¹ Application reference 23/0281/FUL

planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design, and external appearance of the building, amongst other matters as the case may be. This application was made and subsequently refused having regard to condition (2)(i).

7. The main issue in this appeal is therefore whether the proposed development would be granted planning permission by Article 3(1), Schedule 2, Part 6, Class A of the GPDO, having regard to matters of siting, design and external appearance.

Reasons

8. The appeal site lies within the Blackdown Hills National Landscape. I have been provided with evidence describing the character of this area from various sources, and find agreement within the evidence and between the parties that this is a high-quality working farmed landscape. There is a distinctive patchwork pattern of sloping fields bound by hedgerows, often containing hedgerow trees, and some larger areas of woodland. Infrequent settlement in the form of traditional farm complexes and small hamlets is scattered throughout the landscape. Despite evident occupation and human management, there is an inherent natural beauty and an unspoilt quality to the traditional agricultural landscape, with little in the way of modern, large, or visually intrusive development.
9. Blackenfields Farm forms a visible farm complex, set within a relatively open field pattern. It contains some more recent development, and there is an extant planning permission to extend the modern barns. Nevertheless, the traditional collection of barns and outbuildings closely grouped with the farmhouse is consistent with the existing landscape pattern. Greenway Manor lies higher on the valley side to the west, within well-vegetated grounds.
10. I acknowledge the intention to visually 'set apart' the proposed building from Blackenfields and facilitate its use between both Blackenfields and Greenway. However, despite its proximity to the edge of the Blackenfields complex, the proposal would appear isolated in the landscape. This impression would be reinforced by the rising topography of the site, the clearly defined edge of the Blackenfields complex, the different orientation of the new structure, and its solitary placement within an area of open fields with few hedgerow trees.
11. There is no requirement within the GPDO for buildings to be 'clustered', however the characteristic pattern of built form within this landscape is one of clustered farmsteads, villages and hamlets, reflecting their organic and functional development over time. Each collection of related buildings and infrastructure is set individually within the landscape, but they are not dispersed as a series of standalone structures, and larger areas of consistently undeveloped land lie between them. Accordingly, the proposed siting of isolated built form would be at odds with this prevailing characteristic.
12. The proposed form and scale of the building is not uncommon in modern agricultural development. In addition, measures to minimise the building's visual impact including its narrow form, stepped roof line, and sensitive materials that reflect the local context and will weather in time are noted. Nevertheless, its position at the elevated edge of a field lends itself to open views from the opposite valley side; from access land on Hartridge, and around Mill Rise in particular. Visibility is likely to be otherwise restricted, and the building would not interrupt an important ridgeline. However, its presence as a large, isolated, modern structure on

the valley side would interrupt the landscape pattern as perceived in the expansive views from the east. This visual intrusion would fail to conserve the character of the National Landscape. Conditions concerning materials or lighting would not alter the overall impact of the building in this location.

13. Groundworks would set the building into the slope and create the large, levelled building platform and adjacent yard area. While this wouldn't involve the importation of any additional material, the levelled yard and its banked edges would form a stark, engineered feature, at odds with the broadly sloping valley contours and wider undulating landform. The appellant highlights that this work could be carried out without planning permission. However, there is no compelling evidence that this is a greater than theoretical possibility, or that if the appeal is dismissed such an outcome would be pursued. In any event, the groundworks alone would not have the same effect in the landscape as the proposed building. This possibility therefore carries limited weight in the determination of the appeal.
14. The groundworks and building would be contained by new hedgerow planting, and the existing hedgerow would be retained. A small number of trees are also shown on the land north of the building. The creation of a Devon hedge as a banked feature and a small copse would be appropriate to the character of the area. However, the management notes in the application submission indicate an overall managed hedgerow height of 1.1m-1.5m and a width of 1m. Even allowing occasional specimen trees to grow to their mature height, this scale of planting would not be robust enough to successfully screen or assimilate the large barn and levelled yard into the sloping site.
15. Although additional landscaping could be secured by condition, containing a single building within a dense vegetation screen would not be characteristic of the open field pattern in this part of the valley.
16. My attention has been drawn to a barn at Mill Rise² which I visited and viewed from the opposite valley side. It has several comparable features with the appeal proposal, in particular its siting some distance from the nearest residential property. However, its position within the field pattern is different, set at the lower edge of a field, adjacent to considerable vegetation, and in an area of smaller fields with a significant presence of trees. When viewed on the ground, both at proximity and from the opposite valley slope, this makes a marked difference to its visual impact, and its presence does not alter my view that the proposed development would cause harm. In any event the fact that an apparently similar proposal may have been permitted is not a reason, on its own, to allow unacceptable development.
17. Overall therefore, I conclude that the siting, design and external appearance of the proposal would unacceptably harm the character and appearance of the Blackdown Hills National Landscape. Accordingly, the proposed development would not be permitted development under Article 3(1), Schedule 2, Part 6, Class A of the GPDO, having regard to matters of siting, design and external appearance.

Other Matters

18. The appeal site is close to Grade II* Listed Greenway Manor, the significance of which derives, in part, from its age and remaining architectural detailing and internal features. The Council has raised no concerns regarding the effect of the

² Application reference 24/0857/FUL

proposal on the setting of the listed building. Given its significant physical, visual, and topographical separation from the appeal site, I see no reason to reach a different conclusion to the Council, and am satisfied that the proposal would not harm the significance of the designated heritage asset through development within its setting. However, the absence of harm is a neutral matter, and does not alter my conclusions in respect of the main issue above.

19. Similarly, that the Council has found no harm in respect of neighbouring living conditions, traffic, or wildlife impacts does not carry weight in favour of the proposal.
20. There has been discussion between the parties as to the acceptability and suitability of alternative locations for the proposed building. However, my role is limited to a consideration of the appeal scheme that is before me.
21. Various references are made to the appellant's intention to remove an existing shed within the Blackenfields Farm complex, a willingness not to implement an extant planning permission for its extension, and the visual improvements that these measures could bring. However, my considerations are restricted to the general purpose agricultural building which was the subject of the prior approval application. The appellant's final comments also confirm that works to the existing barn are not part of the appeal proposal. I have therefore not considered this further.
22. The proposal would support the farming operation associated with the joint landholding at Greenway Manor and Blackenfields Farm. I understand the practical considerations regarding access requirements for modern agricultural operations, the need for secure storage, and the existing physical and building use constraints within the Blackenfields complex. I also recognise the environmental enhancements including habitat restoration and creation that are taking place at the landholding, and the role the proposal would play in facilitating these ongoing works. Nevertheless, this appeal decision must be taken in accordance with the requirements of the GPDO which limits my considerations to the main issue outlined above.

Conclusion

23. For the reasons given above the appeal should be dismissed.

K Jones

INSPECTOR