



Appeal Decision

Site visit made on 19 November 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2026

Appeal Ref: APP/U1105/W/25/3371346

Land and Buildings at Barton Farm, Village Way, Aylesbeare, Devon EX5 2FF

- 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 Jeff Slade against the decision of East Devon District Council.
 - The application Ref is 25/0456/FUL.
 - The development proposed is change of use from agricultural building to 2no. dwellings, including associated works, parking and landscaping.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Jeff Slade against East Devon District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - whether the appeal site is an appropriate location for new residential development having regard to whether the proposal amounts to the re-use or conversion of the existing building and access to services and facilities;
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposal would provide adequate parking and turning space without compromising highway safety or residential amenity.

Reasons

Location

4. Policy D8 of the East Devon Local Plan 2013 – 2031 (LP) permits the re-use or conversion of rural buildings outside Built-up Area Boundaries where a number of criteria are met. These include that the building must be structurally sound and capable of conversion without significant extension, alteration or reconstruction, and that the proposal must not substantially add to the need to travel by private car.
5. Paragraph 84(c) of the National Planning Policy Framework (the Framework) supports the re-use of redundant or disused buildings in the countryside where the development would enhance their immediate setting. Whether a proposal falls

within this exception depends on whether it would genuinely re-use an existing building rather than result in the creation of a new one.

6. A structural report has been submitted in support of the proposal. However, whether a scheme amounts to a re-use or conversion is not determined solely by structural capability, but by the overall nature and extent of the works proposed.
7. The report indicates that the existing steel frame would be retained, along with the concrete panels present on parts of the elevations, and the roof covering would also remain in place. However, it also confirms that a new timber frame would be constructed within newly built blockwork walls. These new walls would occupy areas where no walls, or only partial walls, currently exist. In addition, the submitted plans show the formation of new openings in the existing concrete panels. Taken together, these works mean that only a limited proportion of the existing external envelope would remain.
8. Although the building could physically accommodate residential use, the scale of works required to create the proposed dwellings would extend beyond what could reasonably be described as a re-use or conversion. The proposal would, in effect, result in the creation of two new dwellings within the footprint of a significantly altered structure.
9. I have had regard to other developments within the wider Barton Farm complex where schemes involving significant alteration were described as conversions. However, each case must be assessed on its own merits, and the extent of rebuilding proposed here is materially greater than would normally be associated with the re-use or conversion of an existing building.
10. I have also taken into account the findings of the recent Class Q appeal relating to the same building. Although made under a different legislative regime and in relation to a dissimilar scheme, that decision remains a relevant material consideration insofar as it reflects the physical extent of the works required to make the building suitable for residential use.
11. In these circumstances, the proposal would not amount to the re-use or conversion of an existing building for the purposes of Policy D8 or Paragraph 84(c) of the Framework. The Framework exception for the re-use of rural buildings in isolated locations therefore does not apply. The proposal consequently conflicts with Policy D8 of the LP.
12. As the proposal does not constitute a re-use or conversion, it falls to be considered as new residential development in the countryside. Strategy 7 of the LP strictly controls such development, permitting it only where it accords with specific policies or where it is necessary for rural workers. No such justification arises in this case.
13. Strategy 5B and Policy TC2 of the LP seek to ensure that development is located where it can be accessed by a range of sustainable transport modes and where it minimises the need to travel by private car.
14. Aylesbeare contains a limited range of services, comprising a pub, church, playground and village hall. There is no shop, school or medical facility. Public transport provision is limited, with only one bus service per day. Walking and cycling routes to higher-order settlements are long, indirect and, in places, lack footways or lighting.

15. Even allowing for the rural context, future occupants would be heavily reliant on the private car for almost all day-to-day needs. The proposal would therefore substantially add to the need to travel by car.
16. For these reasons, the appeal site is not an appropriate location for new residential development having regard to whether the proposal amounts to the re-use or conversion of the existing building and access to services and facilities. The proposal therefore conflicts with Strategies 3, 5B and 7 and Policy TC2 of the LP, insofar as they collectively seek to prevent new housing in rural locations where access to services is poor and reliance on the private car would be unavoidable, directing development instead to more sustainable, better-connected settlements.

Character and appearance

17. The appeal site forms part of a former agricultural holding where a number of buildings have already been converted or redeveloped for residential use. The appeal building itself is a utilitarian structure, positioned behind existing development and largely enclosed by surrounding built form and vegetation. As a result, it is not prominent in the wider rural landscape and is experienced primarily within the context of the evolving Barton Farm complex.
18. The proposed development would retain the overall footprint and general form of the existing building. Although the introduction of domestic features such as windows, doors and private amenity space would alter its appearance, these changes would not materially increase the perceived scale or massing of the structure. The use of timber cladding and metal roofing would reflect the agricultural origins of the building.
19. The introduction of domestic curtilages, parking areas and boundary treatments would inevitably result in a degree of domestication. However, given the contained nature of the site and the presence of nearby residential development, this would not appear incongruous or visually intrusive. Subject to appropriate conditions controlling materials, landscaping, boundary treatments and external lighting, the proposal would not result in an unacceptable suburbanisation of the site.
20. For these reasons, the proposal would not materially harm the character or appearance of the area. Consequently, the proposal complies with Strategy 7 and Policies D1 and D8 of the LP, which collectively require, in part, that development in the countryside respects its rural context and maintains or enhances the character and appearance of the landscape.

Parking and turning space

21. The proposed development would provide two parking spaces per dwelling, located to the north of the building, together with a shared manoeuvring area. The parking spaces meet the Council's dimensional standards, although the depth of the manoeuvring area would be limited.
22. The development is small in scale and would generate a low level of vehicle movements. In this context, whilst the parking and turning arrangements would be tight, they would not be unworkable. The submitted swept path analysis demonstrates that vehicles could enter the parking spaces, and with appropriate detailing, vehicles could manoeuvre within the site without undue difficulty.

23. Any potential conflict between vehicles and pedestrians could be mitigated through planning conditions requiring the submission of detailed parking and turning layouts, together with the provision of clearly defined pedestrian routes. Given the limited number of dwellings and the private nature of the access, I am satisfied that the proposed arrangements would not compromise highway safety or residential amenity.
24. For these reasons, I am satisfied that, with appropriate planning conditions, the proposal would provide adequate parking and turning space without compromising highway safety or residential amenity. Consequently, the proposal complies with Policy TC9 of the LP, insofar as it requires development to provide adequate on-site parking and turning space to ensure safe and convenient access.

Planning Balance

25. The Council confirms that it can currently demonstrate 2.97 years of deliverable housing land. As such, the Council cannot demonstrate a five-year supply of deliverable housing land. In such circumstances, Paragraph 11(d) of the Framework indicates that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusal, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
26. The proposal would deliver two additional dwellings in a district with a significant housing land supply deficit. This carries weight in favour of the development, albeit modest given the small scale of the scheme. The proposal would also generate limited economic benefits, including short-term construction employment and minor ongoing expenditure by future occupants in the local economy. The appellant also highlights the opportunity to improve the appearance of the existing building and its immediate surroundings, which could be secured through appropriate materials and landscaping. These matters attract moderate weight in favour of the proposal.
27. However, the proposal conflicts with several key policies of the development plan, including Strategies 5B and 7 and Policies D8 and TC2. These policies collectively form the spatial strategy for East Devon, directing new housing to sustainable locations and strictly controlling new residential development in the countryside. Although the development plan is out-of-date for the purposes of Paragraph 11(d), the identified conflicts remain a material consideration in the overall assessment.
28. The evidence demonstrates that future occupants would be almost entirely dependent on the private car for day-to-day needs, given the absence of meaningful local services and the extremely limited public transport provision. I have considered the argument that such reliance is inherent in rural re-use schemes and is accepted by Paragraph 84(c) of the Framework. However, as the proposal does not fall within that exception, this consideration carries limited weight.
29. Moreover, the Framework continues to place significant emphasis on promoting sustainable patterns of development and reducing reliance on the private car. The proposal runs counter to the Framework's core objective of promoting sustainable patterns of development and reducing reliance on the private car. The conflict with the development plan's spatial strategy reinforces this harm.

30. Appeal decisions have been cited where similar sustainability harms were not found to outweigh the benefits of rural re-use schemes. Those decisions are material considerations, but they relate to proposals which were found to constitute genuine re-use of existing buildings and therefore benefited from Paragraph 84(c). That is not the case here.
31. When the benefits of the proposal are weighed against the harms in the manner required by Paragraph 11(d)(ii), that is, against the policies of the Framework taken as a whole, the adverse impacts of granting permission, particularly those arising from the site's unsustainable location, significantly and demonstrably outweigh the collective benefits associated with the delivery of two dwellings on the appeal site.

Conclusion

32. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

K Reeves

INSPECTOR