



Appeal Decisions

Site visit made on 19 November 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2026

Appeal: APP/X1118/W/25/3373131

Goodleigh Bungalow, Land to the rear of Chestnut View, Goodleigh Road, Barnstaple, Devon EX32 7NL

- 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 Wayne Bonds of Robin Bonds Building Contractors Ltd against the decision of North Devon Council.
 - The application reference is 79836.
 - The development proposed is described as 'a single storey dwelling with a proposed integral garage and driveway'.
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Decision

1. The appeal is dismissed.

Costs

2. An application for costs was made by the Council against the appellant. An application for costs was also made by the appellant against the Council. These applications will be the subject of separate Decisions.

Preliminary Matter

3. As the proposal is located in the vicinity of two listed buildings (the LBs) I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving the setting, as it relates to the special interest of the nearby Grade II* listed building, known as "The Church of St. Gregory" (Ref: 1164580) (the church) and the Grade II listed building known as the "Churchyard Lych Gate and Gates approximately 10 metres south west of Goodleigh Church" (Ref: 1325281) (the lych gate) and the character or appearance of the Goodleigh Conservation Area (the CA); and
 - whether the proposal would be acceptable with respect to highway safety.

Reasons

Historic environment

5. The Grade II* listed church is said to comprise a late 15th/early 16th century tower, with other elements of the church having been rebuilt in 1881 by Ashworth. The tower comprises of dressed stone of three stages, with a crenelated parapet that has crocketed pinnacles surmounted with crosses. The remainder of the church comprises of snecked rubble with ashlar dressings with a slate roof. The church is positioned on a high point on the road. Consequently, the church, and its tower in particular, is a prominent feature in the village.
6. The historic context of the church would likely have been a rural village set within open countryside, with the tower being deliberately on higher ground as a notable locator to the village from surrounding countryside. The current context in which it is experienced comprises a mix of historic and modern buildings but remains a rural village setting, with views out over rolling hills. I find that the prominence of the church's historic tower and visual connectivity with the surrounding rural landscape contributes to its special interest.
7. Given the above, I find that the setting of the church, insofar as it relates to this appeal and its special interest, to be primarily associated with the appeal access road. From the surrounding roads, the church is now mainly experienced in the context of intervening development. However, the appeal site survives as an undeveloped space. It thus retains a sense of open countryside that is discernible within the setting of the church and offers views to the hillside beyond. As such, the surviving rural character of the appeal site makes a notable contribution to the wider setting of the church.
8. The Grade II listed lych gate is said to date from circa 1880. It is comprised of random stone rubble with ashlar dressings and has a tiled roof with crested ridge tiles supported by short corner arch braces and a pair of timber gates. Insofar as it relates to this appeal, its special interest is primarily associated with its role in marking the pedestrian route into the church grounds. Its setting, for the purposes of this appeal, is consequently primarily derived from areas close to the lych gate from where it provides a point of reference for the entrance to the churchyard and hallowed ground.
9. The CA has a broadly linear form encompassing buildings on Goodleigh Road (the main street), as well as the appeal site access road and the church. The northern appeal site boundary comprises the CA boundary such that the appeal site is outside of the CA. The CA is characterised by terraces and cottages positioned on the slopes of a valley with views out of the CA to rolling countryside. Insofar as it relates to this appeal, the significance of the CA, as it relates to its setting, comprises open views of the surrounding countryside and its rural character.
10. The appeal site is adjacent to a linear stretch of bungalows that are set back from the road behind a wide pavement, grass verge and modest front gardens (Nos 1 to 4). The appeal site is positioned at a bend in the road which then drops away down towards Goodleigh Road. It's boundary with the access road comprises a mature hedge and there is mature vegetation to either side of the road on that bend. Consequently, the site appears as a soft edge to this part of the village. It thus makes a positive contribution to the rural character of the road.

11. Nos 1 to 4 are positioned below the road level. Consequently, from the access road the most visible part of their built form is their unbroken pitched roofs. This retains visibility over their roof line to the hillside beyond. Whereas, the proposed bungalow would be positioned much closer to the road. As a result, although it would have a lower ridge height than its neighbour, it would be much more prominent in the street scene. In addition, the proposed built form would extend across the full depth of the site, extending close to the boundary with the two recently constructed dwellings to the rear. This would further constrain views through the site to open countryside beyond. The use of local materials in construction of the building is welcome but would not mitigate the harm arising from its location and layout.
12. There are examples of houses positioned close to the road in the locality, such as the house opposite the church that is positioned below the road level, behind a gravel parking bay. However, that house is tucked in amongst other buildings. Whereas, the appeal scheme would have an urbanising effect by pushing the extent of built form on to land that currently makes an important contribution to the rural character of the road.
13. Whilst the revised boundary with the access road would comprise a stone wall with hedge planting that is used on boundary treatments elsewhere in the locality, its realignment would widen the carriageway. This increase in hard surfacing outside the site would further diminish the rural character of this part of the road, creating an overly domestic appearance.
14. Due to a lack of a particular historic resonance between the appeal site and the lych gate, the proposal would have a neutral effect on the setting of that heritage asset. Nonetheless, the urbanising effect resulting from the position of the building relative to the road and the loss of visual connectivity through the site to open countryside beyond, would harm the rural setting of the church. The identified harm to the special interest of the church attracts great weight in the planning balance of this appeal. The proposal would similarly harm the rural setting of the CA.
15. Paragraph 212 of the National Planning Policy Framework (Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
16. Given the scope of the works relating to a single dwelling, I find the harm to the church to be at the lower end of less than substantial in this instance, but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
17. The creation of one new bungalow would be a public benefit of the proposal. However as a single unit, this attracts only limited weight. The proposal is said to provide a minimum biodiversity net gain of ten per cent. Given the limited scale of the appeal site this also amounts to a limited public benefit. The appellant submits

that a further public benefit would arise from the realignment of the boundary, by creating a vehicle passing bay that may also provide ad hoc off-road parking during school drop-off/pick-up times. However, a particular need for a passing space at that point in the road has not been demonstrated. Therefore, any highway safety benefits associated with the proposed passing bay and ad hoc parking space attracts limited weight. Moreover, the benefit arising from a single passing bay here is not comparable to the scale of the benefit arising from the provision of eight public parking spaces, as is said to have been secured through a scheme on the opposite side of the road.

18. Accordingly, I do not find that the public benefits are sufficient to outweigh the harm that I have identified in this instance. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II* listed church and the character of the CA.
19. This would fail to satisfy the requirements of the Act, paragraph 210(a) of the Framework and conflict with policies ST04, ST15, DM04, DM07, and GDL(c) of the Local Plan. These seek, among other things, to protect the historic environment and ensure proposals are designed having regard to the character of the site's surroundings.

Highway safety

20. It is not in dispute between the main parties that the proposal is anticipated to generate between six to eight additional vehicle movements on the access road per day. Also, that taking into account low traffic speeds at the access location, a suitable visibility splay would be achieved at the site access. As noted above, the proposal would also provide a passing place at its northern boundary.
21. However, considerable sections of the appeal site access road are without pavements and lighting. In addition, it is narrow such that in parts two vehicles cannot pass one another. These are not uncommon features of roads in rural locations such as this. However, as well as providing access to other houses, the road already provides access to a primary school and the church. Consequently, there is a likelihood of pedestrians being in the road on a regular basis. Parking on the road and manoeuvring of vehicles is also likely to be a common occurrence, adding to the road width constraints and potential for conflict between vehicles and pedestrians.
22. The road width between the appeal site and the Coombe Close/Goodleigh Road junction is particularly narrow, with poor visibility along it. This would remain constrained in the event of the appeal being allowed. Furthermore, the appeal site is located close to the brow of a hill. This adds further complexity due to limited visibility along the road there. Consequently, I find that even the modest increase in traffic associated with the proposal would increase the risk of conflict between vehicles and pedestrians to an unacceptable degree.
23. I note that there is an absence of recorded accidents at the Coombe Close/Goodleigh Road junction and the access road/Goodleigh Road junction over the previous 20+ years. However, the Council considers that visibility is substandard at the Coombe Close/Goodleigh Road junction. Also, that at the access road/Goodleigh Road junction, a right turn to travel along Goodleigh Road

towards Barnstaple cannot be undertaken safely. Observations from my site visit did not persuade me otherwise. Concerns about these junctions being substandard were noted in the Highways Authority's response at appeal stage. However, no visibility splays are before me for those junctions to contradict the concerns about visibility at those junctions.

24. Also, although a speed survey of the appeal access road was submitted, no speed survey of traffic on Goodleigh Road has been provided to indicate that traffic calming results lower speeds there. The onus is on the appellant to provide such evidence to demonstrate their case. Without substantive evidence to the contrary, insufficient evidence is before me to conclude that the anticipated increase in traffic from the proposal would be acceptable with respect to highway safety at those junctions.
25. The appellant has drawn attention to other proposals on Coombe Close that have been granted by the Council. Consistency in decision-making is important. However, very little detail on those proposals is before me such that I cannot make a meaningful comparison. In any event, evidence of other schemes having been approved here does not justify allowing a scheme that I consider would result in unacceptable highway safety concerns.
26. Therefore, it has not been demonstrated that the proposal is acceptable with respect to highway safety. As such, it would conflict with Policy DM05(1) of the North Devon and Torridge Local Plan 2011-2031 (October 2018) (Local Plan). This generally seeks to ensure developments would be safe for all highway users. The Framework reference (paragraph 116) to severe cumulative impacts on the road network relates to concerns on operational performance and congestion, which are not relevant to this main issue. However, paragraph 116 also confirms that development may be prevented on highways grounds if there would be an unacceptable impact on highway safety.

Other Matter

27. The Council advised at appeal that it cannot currently demonstrate a five-year housing land supply. As a consequence, policies that are most important for determining the proposal are out of date based on Framework paragraph 11(d) and footnote 8. However, I have found that the harm to designated heritage asset would not be outweighed by the public benefits. Having regard to Framework paragraph 11(d)(i) and footnote 7, this provides a clear reason for refusing the proposal. Therefore, the presumption in favour of sustainable development would not apply. The proposal would be contrary to the development plan which indicates that planning permission should not be granted.

Conclusion

28. Given the above and considering all other matters raised, the appeal should be dismissed.

Rachel Hall

INSPECTOR