



Appeal Decision

Site visit made on 4 February 2026

by **T Gethin BA (Hons), MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th February 2026

Appeal Ref: APP/W1145/C/24/3356368

Outbuilding within rear garden of DN434205

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Michael Pedrick against an enforcement notice issued by Torridge District Council.
- The notice was issued on 17 October 2024.
- The breach of planning control as alleged in the notice is Without planning permission and within the last 4 years, the partial demolition and rebuild/extension of an outbuilding.
- The requirements of the notice are:
 - (i) Remove the unauthorised extensions to the building.
 - (ii) Restore the building to its former dimensions, and finish the walling to its original appearance.
 - (iii) Cease the use of the building for anything other than uses incidental/ancillary to the enjoyment of Clinton House.
- The period for compliance with the requirements is: within 6 months from the date when the Enforcement Notice takes effect.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Preliminary Matters

1. The site is in a conservation area (CA) and is within the settings of listed buildings. Accordingly, as set out in sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA; and had special regard to the desirability of preserving the listed buildings, including their settings and any features of special architectural or historic interest which they possess. National and local policy also indicates that great weight should be given to the conservation of such designated heritage assets.

Main Issue

2. The main issue is the effect on the Sheepwash CA.

Reasons

3. As found by the Inspector for the previous appeal on the site, the CA is characterised by its tightly clustered and less than uniform layout of traditional small, but mixed scaled buildings. These are positioned along and amongst a winding road network that meets at a central square. Many buildings include stone or rendered walls with simple roof forms of thatch or slate. Collectively, these contribute to the attractive local vernacular and the CA's significance. Based on the available evidence, it seems to me that the outbuilding, in its original form, would also have positively contributed to the CA's character and appearance.

4. Although set behind buildings, the outbuilding is visible from some public and various private vantage points. As it now stands, it is larger than it previously was. However, having had regard to the submitted evidence and my site visit observations, I have no reason to disagree with the previous Inspector that the building's current scale and massing is not excessive. The opening in the apex of the north elevation, whilst larger than the previous opening, is also acceptable, as are the other openings. In addition, although previously proposed, there is no dormer window, meaning the building's slate roof has a suitably simple form.
5. Part of the outbuilding consists of unfinished blockwork. This is in stark contrast to its historic form and to the rendered and stone finish of surrounding buildings. Whilst the proposed split material finish under the previous appeal would have been incongruous, the appellant indicates that they are now willing to finish two walls in painted render and the other two in stone facing, whilst the apex on the north elevation would be timber clad (similar to the original building). I am satisfied that the scope of the works are such that they are part of the matters covered by the Notice. Such a finish would reflect surrounding buildings, several of which contain a mixture of such materials; and it struck me on my visit that the building, once appropriately finished, would read as a congruous, positive feature which suitably respects its surroundings.
6. Subject to the outbuilding being finished in suitable materials, the CA's character and appearance would therefore be preserved and its significance conserved, in accordance with Policies DM07, DM25 and ST15 of the North Devon and Torridge Local Plan 2011-2031. Amongst other aspects, these seek to conserve heritage assets and development to respect its surroundings. However, the marked-up plan in appendix 6 of the appellant's appeal statement is neither sufficiently clear nor, seemingly, entirely consistent with the intentions sets out in their statement. Accordingly, to make the development acceptable in planning terms and ensure a suitable external finish in an enforceable manner, it is necessary to attach a condition requiring the submission of details for approval by the Council.
7. Condition 1 therefore has strict implications where specific timescales are not complied with. It requires the submission and approval of details relating to the materials to be used to finish the external surfaces of the building (the materials scheme) and a timetable for implementation. If those details are not submitted within two months, the unauthorised extensions to the building will have to be removed and the former dimensions and original walling restored. If the details are submitted but not approved, an appeal will need to be lodged within six months. If an appeal is not made within time, or is subsequently dismissed, the unauthorised extensions to the building will have to be removed and the former dimensions and original walling restored. These strict requirements are reasonable and necessary to make the development acceptable considering the otherwise harmful effect the unfinished building would have on the character and appearance of the CA, and to ensure the condition is enforceable.
8. The breach of planning control targeted in the Notice relates to works only (the partial demolition and rebuild/extension of the outbuilding). However, the requirements in Section 5 of the Notice go further despite no change of use having taken place by the time the Notice was issued; and no breach of planning control relating to use has been alleged. Should a material change of use of the Land take place in future then planning permission would be required. Consequently, in my

Formal Decision I have removed any reference to use in the condition I have imposed.

Other matters

9. The outbuilding is close to several existing properties and the appellant's intention as part of the previous appeal was to use it as a holiday let. However, no change of use has occurred and any future change of use would require planning permission in any event. As such, despite deliberating on its necessity, I have now not imposed the Council's suggested condition because it is not necessary.
10. The outbuilding is situated immediately to the rear of the grade II listed building known as the Half Moon Inn. The available evidence indicates that the Inn's significance derives from its historic origins as a remarkably unspoilt house. Its setting within the historic, attractive core of Sheepwash also contributes to its significance. However, given my findings above, the outbuilding, with its final finished exterior, would not harm the Inn's setting. The Council also do not allege that the rebuilt and extended outbuilding harms the significance (including the setting) of the Half Moon Inn or other listed buildings in the surrounding area, including the nearby grade II* listed Church of St Lawrence.

Overall conclusion

11. For the reasons given above, I conclude that the appeal succeeds on ground (a) and, based on the submitted evidence, find no conflict with the development plan as a whole. I shall therefore grant planning permission for the development as described in the notice.

Formal Decision

12. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the partial demolition and rebuild/extension of an outbuilding at Outbuilding within rear garden of DN434205 and subject to the following conditions:
 - 1) The unauthorised extensions to the building shall be removed, and the former dimensions of the building and the original appearance of the walling shall be restored within three months of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within two months of the date of this decision a scheme for the materials to be used to finish the external surfaces of the building (the materials scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - ii) If within ten months of the date of this decision the local planning authority refuse to approve the materials scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
 - iv) The approved materials scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved materials scheme specified in this condition, the materials used to

finish the external surfaces of the building shall thereafter be retained and maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

T Gethin

INSPECTOR