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## Appeal Decision

Site visit made on 4 September 2018

**by Neil Pope BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 7 September 2018**

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**Appeal Ref: APP/K1128/W/18/3194432**

**Field SX 6647 1532, Chapel Combe Farm, St. Anne's Chapel, Bigbury, Kingsbridge, Devon, TQ7 4HQ.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr A Davies against the decision of South Hams District Council.
  - The application Ref. 1820/17/FUL, dated 17/5/17, was refused by notice dated 1/8/17.
  - The development proposed is the construction of a new agricultural building to house livestock and hard standing for bale storage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect upon the character and appearance of the area which forms part of the South Devon Area of Outstanding Natural Beauty<sup>1</sup>.

### Reasons

3. The appeal site comprises a corner of a large field on an open, elevated farmed plateau. It lies to the north of the small settlement of St. Anne's Chapel and forms part of one of the two blocks of land that make up a 9 hectare holding. The other block of land includes the appellant's bungalow, farm buildings<sup>2</sup> and a certified caravan site. This is adjacent to the eastern edge of the settlement. The appellant is a farm and fencing contractor. He also manages a flock of 20 breeding ewes, as well as a small suckler herd of cows that are reared for beef.
4. The most relevant development plan<sup>3</sup> policies to the determination of this appeal require, amongst other things: great weight to be given to conservation and enhancement of the natural beauty of the AONB<sup>4</sup> and; all development in the countryside to be well related to an existing farmstead or group of buildings, or to be located close to an established settlement<sup>5</sup>. (I note that there are broadly similar equivalent provisions in the emerging Plymouth & South West Devon Joint Local Plan 2014-2034).
5. My attention has also been drawn to the AONB Management Plan 2014-2019 (MP). Whilst not forming part of the development plan, the MP has been subject to a process of stakeholder consultation and can be given moderate

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<sup>1</sup> AONB.

<sup>2</sup> One of these buildings has approval for partial use for caravan storage (ref.2622/16/PTF).

<sup>3</sup> Includes the South Hams Core Strategy (CS) and the Development Policies Development Plan Document (DPD).

<sup>4</sup> CS policy CS9. This policy is consistent with the provisions of the National Planning Policy Framework.

<sup>5</sup> DPD policy DP15.

weight in this appeal. Amongst other things, it identifies the special qualities<sup>6</sup> of the AONB and includes various policies, such as those aimed at conserving and enhancing the special qualities, distinctive character and key features of the landscape<sup>7</sup> and others aimed at fostering a profitable, sustainable and environmentally beneficial farming and land management sector<sup>8</sup>.

6. The proposed concrete panel and box profile livestock building would have a floor space of approximately 220m<sup>2</sup>. It would measure about 3.96m to the eaves (lower side of the building) and about 6.33m to ridge (higher side). This new building would be set back approximately 10m from an existing boundary hedge<sup>9</sup> and some new landscape planting would be undertaken.
7. I recognise the attempt to site and design the building so as to limit the harm to this sensitive landscape. However, notwithstanding its modest size, this new building and the proposed bale storage area alongside would entail the loss of part of an existing field. This would erode the attractive unspoilt open qualities of the field and the pleasing contribution it makes to the natural beauty of the area. There would be a small adverse effect upon the character of the area.
8. Due to landform, intervening buildings and vegetation, the proposal would be unseen from many parts of the public realm. Nevertheless, the building would be visible above the boundary hedge when approaching the settlement from the B3392 to the north. Seeing a building does not in itself amount to harm and agricultural buildings occur throughout the AONB. However, the appeal site forms part of the attractive open countryside to the north of St. Anne's Chapel and contributes to the landscape setting of the settlement. The proposed building would intrude into the views when approaching from the north and detract from the setting of St. Anne's Chapel and the appearance of the area. The proposal would conflict with CS policy CS9 and MP policy Lan/P1.
9. There is no dispute as to the functional need for the proposed development. Whilst farming is an important part of the AONB, this new livestock building would be poorly related to the existing group of buildings on the appellant's holding and would not be near any existing building. There would be conflict with DPD policy DP15 and the objective of MP policy LanMan/P1.
10. I am also mindful that the proposed building would not be within sight or sound of the existing dwelling. Whilst my decision does not turn on this matter, if permitted, the proposal could result in the Council experiencing future pressure to approve residential accommodation alongside in order to meet animal welfare requirements and any site security issues. This could be difficult to resist and would result in cumulative harm to the character and appearance of this part of the AONB. With the building located a considerable distance from the field access there could also be future pressure for a track across the length of the field or hedgerow removal to form an access onto the B3392.
11. The proposal would harm the character and appearance of the area/AONB. I therefore conclude that the appeal should not succeed.

*Neil Pope*                      Inspector

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<sup>6</sup> These include a deeply rural rolling patchwork agricultural landscape and iconic wild, unspoilt and expansive panoramic views.

<sup>7</sup> Policy Lan/P1.

<sup>8</sup> Policy LanMan/P1.

<sup>9</sup> At the site visit both main parties agreed that the hedge was about 3m high.