



Appeal Decision

Site visit made on 16 December 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025.

Appeal Ref: 6001044

Tetcott Garage, Bone Street, Tetcott, Holsworthy, Devon EX22 6RA

- 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 and Mrs Rooke against the decision of Torridge District Council.
 - The application Ref is 1/1052/2024/FUL.
 - The development proposed is conversion of redundant commercial building to dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address of the site from the Council's Decision Notice, which better reflects the location than that used in the application form. The appellants have used the same address in the appeal form and so I am satisfied that no party would be prejudiced as a result.

Main Issues

3. The main issues are:
 - whether the proposal would have a positive impact on the immediate setting of the building, and
 - whether it has been demonstrated that there is no realistic prospect of employment or mixed use of the appeal site.

Reasons

Character and Appearance

4. The site consists of a former commercial garage and an associated dwelling, located in countryside. The proposal seeks to convert the garage building into a dwelling. Policy DM27 of the North Devon and Torridge Local Plan (the Local Plan), adopted October 2018, supports the conversion of existing buildings where amongst other things it would have a positive impact on the immediate setting of the building.
5. The existing building has no particular historic or architectural merit. The proposal would include a new hedge bank within part of the entrance apron to the site. However, such a change would be tokenistic and neutral in effect, rather than representing a positive benefit. Few other changes are proposed to the building

itself. As such, I am not convinced that the proposal would have a particularly advantageous effect on the building or its setting.

6. For the reasons given above, the proposal would not have a positive impact on the immediate setting of the building. Accordingly, it would conflict with Local Plan policy DM27.

Employment Use

7. Local Plan policy DM13 seeks to maintain a range of suitable sites for employment purposes. As a result, non-employment uses will not be permitted, other than in specific circumstances. Although in a rural area, I have little substantive evidence to show that the quality and quantity of employment sites available in the locality is adequate. As a result, Local Plan policy DM13(a) is not satisfied.
8. Alternatively, policy DM13(b) permits non-employment uses where appropriate marketing has demonstrated that the site no longer provides a realistic prospect for employment purposes. Policy DM13(d) makes clear that in all cases redevelopment of such sites should adopt a sequential approach, considering employment and mixed uses in preference to non-employment uses.
9. The property was marketed by an estate agent between March 2022 and April 2023, for both the dwelling and the business, as a going concern. This exercise resulted in only two enquiries, neither of which were for commercial uses of the building. The owner and operator of the garage has now retired, and the use has now ceased, with the equipment in the process of being sold or scrapped.
10. The existence of a large pit and vehicle lift at the site may limit options for re-use. Occupation of the adjacent dwelling was restricted by a condition of its planning permission¹ to a person employed in the locality, in connection with the adjoining garage premises. This restriction would limit the number of people who could occupy the dwelling, and therefore the attractiveness of the site as a whole. Nevertheless, this does not mean that the potential for business occupiers of the premises, who might also comply with the condition, can be discounted.
11. The supporting text to Policy DM13 requires the submission of the marketing exercise prior to each stage of its sequential approach. However, the site was marketed only for the existing B2 business use and dwelling, and I have little to show that other employment or mixed uses were considered as required by Policy DM13(d). Furthermore, given the length of time since the marketing exercise was undertaken, and that it pre-dated the closing of the previous business, I cannot be confident that it still accurately reflects current market conditions. I see little reason to believe that a commercial or mixed use of the premises would necessarily be incompatible with the adjacent dwelling.
12. Consequently, I cannot rule out the possibility of an employment or mixed use of the garage building, in accordance with Policy DM13. Paragraph 84 of the National Planning Policy Framework (the Framework) permits new houses in isolated locations where the development would re-use redundant or disused buildings and enhance its immediate setting. Even if this paragraph is engaged, I have already found that the proposal would not result in an enhancement. In addition, Framework paragraph 88 seeks to encourage the sustainable growth and

¹ LPA reference 1/0722/1988/55/0004

expansion of all types of businesses in rural areas. As a result, the Framework does not indicate a decision otherwise than in accordance with the Development Plan.

13. For the reasons given above, it has not been demonstrated that there is no realistic prospect of employment or mixed use of the appeal site. As such, the proposal would conflict with Local Plan policy DM13.

Other Matters

14. The proposal would help to meet rural housing needs. However, I have little evidence as to the extent of any such needs, and it would contribute only one additional dwelling to housing supply. The vacant building causes additional costs, and the appellants do not wish to leave the dwelling, given their close family nearby. Although understandable, these reasons are not sufficient to justify the permanent loss of the site as a potential employment use.
15. Other garage sites have deteriorated when not in use, but the appeal site has not done so, despite a period of non-use, and so this does not provide a good reason for allowing full residential use. Permitted development rights allow for the conversion of buildings to dwellings in certain circumstances. That said, in this case, the application and appeal are for full planning permission.

Conclusion

16. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR