

# Appeal Decision

Site visit made on 26 August 2016

**by Chris Couper BA (Hons) DiP TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 06 September 2016**

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**Appeal Ref: APP/J9497/D/16/3153283**

**New Cottages, road from Lower Meavy Bridge to Marchants Way, Meavy, Devon PL20 6PN**

- 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 Scott Jackson against the decision of Dartmoor National Park Authority.
  - The application Ref 0071/16, dated 20 January 2016, was refused by notice dated 9 May 2016.
  - The development proposed is to erect a single storey extension to the side and rear of the existing residential dwelling.
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## Application for Costs

1. An application for costs was made by Mr Scott Jackson against Dartmoor National Park Authority. This application is the subject of a separate decision.

## Decision

2. The appeal is dismissed.

## Procedural matter

3. The site is located within the Dartmoor National Park. The purposes of National Parks are to conserve and enhance natural beauty, wildlife and cultural heritage, and to promote opportunities for their understanding and enjoyment by the public.
4. In its decision the Council contends that the proposal would be contrary to the advice contained in the English National Parks and Broads UK Government Vision and Circular 2010 ('Vision'). However, neither its decision nor its officer report elaborates on that, or states which part of that policy guidance the scheme would conflict with.
5. For my part, having regard to the scheme's scale and siting, and its landscape impact, I am satisfied that it would not conflict with the purposes of the National Park.

## Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether or not it would preserve or enhance the character or appearance of the Meavy Conservation Area.

## Reasons

7. The appeal property, which is referred to on the appeal form as no. 1 New Cottages, forms one half of a semi-detached pair. The pair have a narrow gabled two storey form, although each also has a relatively low and subordinate single storey rear outrigger, which aligns with the building's flank walls. The dwellings are finished mainly with stone, brick detailing and slate. Given their layout, proportions and materials, the dwellings form a modest, evenly proportioned and largely symmetrical pair.
8. At pages 15 and 23 the Meavy Conservation Area Character Appraisal 2011 ('MCACA') identifies nos. 1 and 2 New Cottages as forming an historic, high quality building, typical of late Victorian estate cottages, although it notes that the dwellings' historic layout with large productive gardens has been lost due to the modern housing development in the garden of no. 1. In the Conservation Area Statement prepared by Sutherland Property and Legal Services Ltd New Cottages are referred to as an attractive building, and the Council's Historic Buildings Officer refers to it as a heritage asset. I have no reason to disagree with those findings.
9. The building falls within the fairly extensive Meavy Conservation Area ('CA'). In general terms the MCACA describes its character as having seen little growth, and having retained a mix of traditional buildings and spaces which forms a significant element of the settlement's character.
10. The proposed extension would be appropriately finished with a palette of materials, including slate, timber and stone which would respect those in the existing building and elsewhere in the CA. In those regards, and in many other respects it would comply with the Devon County Council 'guidance' for conservation areas referred to in the appellant's Design and Access Statement. However, it would be significantly wider and taller than the outrigger it would replace, and would extend well beyond the dwelling's gable. Consequently it would significantly alter the dwelling's footprint and, notwithstanding the use of glazing on the rear elevation, its form and layout would disrupt the balance of this symmetrical pair.
11. Although no. 2 New Cottages has a timber building in its garden, as that structure is detached and some distance from the dwelling it does not have a similar impact on the building as this proposal. I also observed on my visit that the property to the west has a recently approved single storey rear projection with a form not dissimilar to this scheme. However, unlike this scheme, it does not project to the side, and as that building is much more modern and is identified in the MCACA as not making a positive contribution to the CA, that building's character is materially different to this.
12. For the above reasons the scheme would harm the character and appearance of the host building. It would therefore conflict with policies COR4, and DMD24 of the Dartmoor National Park Authority Core Strategy Development Plan Document 2006-2026 (2008) ('Core Strategy'). In broad terms and amongst other matters, those policies require that proposals demonstrate a layout appropriate to the site and its surroundings, and that extensions do not adversely affect the appearance of a dwelling and its immediate surroundings, even if they are not generally visible from public vantage points.

13. Core Strategy policy DMD7 states that proposals should have particular regard to the quality, integrity, character and setting of heritage assets. Policy DMD12 reflects the statutory test in setting out that the extension of a building within a conservation area will be permitted where the area's character or appearance is preserved or enhanced. Given the harm that would be caused to this building which makes a positive contribution to the CA, the proposal would conflict with those policies. In accordance with paragraph 132 of the Framework I have given great weight to the scheme's impact on the significance of the CA.
14. However, the extension would be sited to the rear, where any views of it from the road to the south would be extremely limited due to the presence of the host building and landscaped screening. Even approaching the village from the higher road to the north, notwithstanding the photograph at figure 47 in the MCACA, any view of it would be very limited due to highway banks and hedgerows. The scheme's impact on the wider landscape would therefore be minimal; and having regard to its materials, discrete siting, and scale in relation to the size of the CA, the harm to the CA's significance would be less than substantial. In such circumstances the Framework sets out at paragraph 134 that the harm should be weighed against the public benefits of the proposal.
15. In support of the scheme, the appellant refers to the statutory duty to foster the economic and social well-being of local communities in national parks. That duty, and the objectives of sustainable development are set out in the Vision, and are summarised at section 3.6 of his statement.
16. I understand that the appellant and his family have lived in the National Park for a considerable period and wish to remain in the park and raise their family there. He states that the proposed extension to this small cottage would enable them to stay in the village and help sustain the local community and its services.
17. However, whilst I have had due regard to the statutory duty and to the Vision's objectives, and I have had regard to the site's planning history, I have no persuasive evidence that this scheme, which would provide a small net increase in floor area for a kitchen/diner, is the only way in which sufficient additional living space could be provided for the appellant and his family; or that without it the appellant's objective of remaining in the community could not be achieved. Consequently, whilst I have considered the advice in the Planning Practice Guidance referred to at page 9 of the appellant's statement, I have limited evidence of this family's specific needs, and I have given limited weight to those stated benefits. They do not outweigh the harm that I have found the scheme would cause to the CA.
18. Summing up, the proposal would harm the character and appearance of this pair of dwellings and the Meavy Conservation Area. From the evidence before me I am not persuaded that the limited public benefits of the proposal outweigh that harm. Consequently, the scheme does not benefit from the Framework's presumption in favour of sustainable development, and having regard to all other matters raised, the appeal is dismissed.

*Chris Couper*

INSPECTOR