

Appeal Decision

Site visit made on 20 April 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 10th May 2017

Appeal Ref: APP/J9497/D/17/3168336

2 Forestry Houses, Bellever, Postbridge, Yelverton, Devon PL20 6TW

- 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 Anand Chetan against the decision of Dartmoor National Park Authority ('the NPA').
 - The application, Ref. 0522/16, dated 12 August 2016, was refused by notice dated 21 November 2016.
 - The development proposed is a low energy upgrade conversion, and extension to form annex.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the self-contained annex can be justified under the NPA's policies for the open countryside; (ii) the effect of the proposal on the character and appearance of the dwelling and its surroundings, and (iii) the effect on the living conditions as regards privacy for adjoining occupiers.

Reasons

Self-contained Annex

3. The Planning Officer's report notes that the annex is designed for occupation independent of the host dwelling as it has a separate access and its own kitchen and bathroom. As such it falls to be determined with regard to Policy DMD25 of the NPA's Development Management and Delivery Development Plan Document 2013 ('the DM & D DPD'). In essence this policy permits ancillary accommodation that provides a degree of independence where family circumstances require, but not in a way that allows an entirely independent dwelling to become established over a period of time.
 4. The Design and Access Statement submitted with the application explains that the scheme anticipates that at some point the appellant may need care and that the annex would in the interim serve as accommodation for a younger relative. However, the justification of a granny annex as ancillary accommodation is typically when there is an urgent and immediate need, and the concept of a 'Grandson annex' referred to in the Statement seems to me to run counter to the policy's caution in respect of the possible longer term implications. I have noted the reference to a condition or even a planning obligation to limit the use
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of the annex, but in the event of a substantial passage of time before the annex is actually needed in terms of an element of dependency I do not regard the enforcement or upholding of such a restriction as being easily defensible. In my view the proposed arrangement is an example of the incremental development precluded in Policy DMD25's supporting paragraph 2.19.24.

Effect on the Dwelling and its Surroundings

5. On this issue I saw on my visit that the appeal property is one half of a semi-detached pair that in turn is read with three other pairs as a group of traditional worker's cottages of the same plain and simple design. The appearance of the group is important to the setting and landscape of this part of Dartmoor and I do not consider that the Planning Officer's report over-states the contribution of the houses as being one of '*an iconic image of Bellever*'.
6. These characteristics inevitably serve as a constraint on extensions to the dwelling. The proposed upward extension of the existing outbuilding to the flank would result in a loss of symmetry with No. 1, but given the (for the most part) traditional design I consider that on the issue of appearance both this and the front extension are in principle acceptable, subject to reasonable compliance with the 30% increase in floorspace limit in Policy DMD24 and the Dartmoor National Park Design Guide.
7. However, in my view the contemporary additions to the rear elevation comprising the new dormer and the enclosure for the stairway to the converted attic would not sit comfortably with the rectilinear and traditional form of the existing building. Quite apart from the angles being at odds with the existing simple design, the scale of the additions – especially the dormer – would also not be in keeping. The extensive glazing and the external staircase would add to the discordant and incongruous effect and overall this part of the scheme would be likely to draw the eye and be perceived negatively.
8. I am aware that the Dartmoor Design Guide 2011 accepts the principle of contemporary additions to traditional architecture, but the grounds of appeal acknowledge that their acceptability in this context is a matter of subjective judgement. I acknowledge that these additions are in themselves innovative and interesting, but I nonetheless share the view of the NPA, the Parish Council and a number of local residents that in this case they would harm the character and appearance of the dwelling, the adjoining No. 1 and their surroundings.

Living Conditions for Adjoining Occupiers

9. On this issue, I consider that because of its elevated position, the proposed dormer is likely to result in a harmful perception of being overlooked for the occupiers of No. 1 when they are in their rear garden. The glazed stairwell would result in overlooking of the gardens of Nos. 1 & 3 and potentially that of No. 4. That said, there could be some alleviation from any loss of privacy through obscure glazing, and as the grounds of appeal indicate, some additional mitigation from a combination of sight lines, changes of level and existing planting.
10. Overall on this issue, I take the view that there is some justification for the NPA's concern that adds to the basis for the refusal, albeit if the proposal had

been acceptable in other respects there may have been scope for addressing the concerns raised.

Conclusions

11. On the main issues I conclude that there would be insufficient justification for the proposed annex; that the rear extensions would have an adverse effect on the character and appearance of the dwelling and its surroundings, and that there is at least some legitimate concern in respect of a loss of privacy for neighbours.
12. Accordingly there would be a conflict with Policies COR1, COR2, COR4 & COR15 of the Dartmoor Core Strategy Development Plan Document 2006-2026 adopted in 2008; Policies DMD1a, DMD1b, DMD4, DMD7, DMD23, DMD24 & DMD25 of the DM & D DPD, and with Section 7: 'Requiring Good Design' and the Core Planning Principles of the National Planning Policy Framework 2012. I have had regard to all other matters raised, including the increased energy efficiency, but have found nothing to outweigh my conclusions on the main issues.
13. The appeal is therefore dismissed. As requested I have considered the possibility of a split decision, which because of my conclusions would be limited to the front extension. However, I have not had the NPA's views on this and consider that it is best dealt with as a separate matter in the event of the appellant wishing to proceed with this minor part of the proposal.

Martin Andrews

INSPECTOR