



Appeal Decision

Site visit made on 31 July 2019

by L Crouch BA (Hons) MSc IHBC

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2019

Appeal Ref: APP/J9497/D/19/3230167

**Home Park Farm, Road from Bovey Cross to Peeps Place, North Bovey
TQ13 8RA**

- 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 and Mrs J Maule against the decision of Dartmoor National Park Authority.
 - The application Ref 0045/19, dated 21 January 2019, was refused by notice dated 10 April 2019.
 - The development proposed is a conservatory including timber cladding to the west elevation of the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development upon the character and appearance of the dwelling and the surrounding area; and
 - whether or not the proposal would be an acceptable enlargement of the original dwelling, having regard to its location within the Dartmoor National Park (DNP).

Reasons

Character and appearance

3. Home Park Farm is a detached two storey dwelling located down an access track. The dwelling has an uncomplicated appearance with a cream render finish, slate roof and from what I could see from my site visit white PVCu windows, French doors, bargeboards and guttering.
4. As the appeal site lies within the DNP, the National Planning Policy Framework 2019 (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks as these have the highest status of protection.
5. Having regard to Home Park Farm's rural setting, its recessive appearance in surrounding views, and the uncomplicated appearance of the side elevation, the proposed conservatory by reason of its elaborate design, with its strong vertical and horizontal emphasis, discordant pitched roof form, and the use of

non-traditional PVCu with blue tint glass roof, which can have a particularly glossy finish, would visually detract from the appearance of the dwelling. The conservatory would be dominant in views in relation to the front elevation, as well as from the side and rear.

6. It is noted that the dwelling already has some PVCu detailing which is not a traditional material. However, in combination with the proposed design and form, the introduction of additional PVCu to the extent proposed, would harm the character and appearance of the dwelling and its highly rural surroundings. These can be appreciated together when viewed from the gated access and when approaching the dwelling along the access track. It would also be at odds with the Dartmoor National Park Design Guide Supplementary Planning Document 2011 (SPD) which discourages the use of this material.
7. The conservatory would have a subservient and appropriate size, height and massing in relation to the appeal property and could improve thermal performance. The larch cladding is a sympathetic external treatment for the rural location. These principles are in-line with the values of the SPD which places importance on sympathetic materials and subservient extensions. However, I do not find that these aspects outweigh the harm I have found.
8. Consequently, I find the appeal proposal would harm the character and appearance of the dwelling and the surrounding area. As such it would conflict with Policies COR4 of the CS and DMD7 and DMD24 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document 2013 (DPD). These policies collectively seek, amongst other things, high quality sustainable design which contributes positively to the site, surroundings, character, distinctiveness of the built environment and local landscape character. There would also be conflict with the principles set out in the accompanying SPD.

The enlargement of the dwelling

9. The dwelling is subject to an agricultural occupancy condition. Therefore, Policy DMD24 of the DPD seeks to prevent development which would lead to a dwelling in excess of 120m² of total habitable floorspace. The parties disagree on the total amount of habitable floorspace that would result from the proposal and I have not been provided with any clear evidence to resolve this issue. However, regardless of whether the resulting floorspace is above or below above this figure, the first part of Policy DMD24 only permits extensions that are in-line with the SPD and do not adversely affect the appearance of the dwelling, its curtilage or immediate surroundings. Thus, if a proposal is not appropriate in terms of design, as I have found to be the case here, the quantum of total habitable floorspace is inconsequential.
10. Accordingly, the proposal would not be an acceptable enlargement of the original dwelling, having regard to its location within DNP. It would be contrary to Policy DMD24 of the DPD which seeks to reflect the principles of the SPD by ensuring high quality sustainable design, and the retention of affordable properties within DNP.

Other Matters

11. The appellants have stated that they could carry out an extension to the rear elevation using permitted development rights which in their view would be

more visible from the surroundings. However, they wish to extend to the side. They have submitted with the appeal a signed Unilateral Undertaking (UU) which offers to prevent such a rear extension if the appeal were allowed. I do not have the full details before me of the suggested rear extension to enable me to assess the potential impact on the dwelling and its surroundings. Furthermore, I have no substantive evidence to demonstrate that there is a greater than theoretical possibility that a rear extension would be pursued using permitted development rights. Whilst I have had regard to the submitted UU it is not necessary to look at it in detail, given that the appeal is unacceptable for other reasons.

12. I have been referred to another scheme (DNP reference 0081/19). However, as I have not been presented with the full details, I cannot be confident it represents a direct comparison to that which is before me. In any event, I must assess the case before me on its own merits.

Conclusion

13. For the reasons given above, the appeal is dismissed.

L Crouch

INSPECTOR