The Planning Inspectorate

Appeal Decisions

Site Visit made on 8 June 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal A Ref: APP/F9498/W/21/3267931
Edbrooke Farm, Acland Lane, Cutcombe, Wheddon Cross TA24 7EL

- 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 & Mrs MA & SS Sanders against the decision of Exmoor National Park Authority.
- The application Ref 6/8/20/109, dated 10 July 2020, was refused by notice dated 18 January 2021.
- The development proposed is extension of existing dwelling to provide a home office and utility room and associated works.

Appeal B Ref: APP/F9498/Y/21/3267929
Edbrooke Farm, Acland Lane, Cutcombe, Wheddon Cross TA24 7EL

The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.

- The appeal is made by Mr & Mrs MA & SS Sanders against the decision of Exmoor National Park Authority.
- The application Ref 6/8/20/110LB, dated 10 July 2020, was refused by notice dated 18 January 2021.
- The works proposed are extension of existing dwelling to provide a home office and utility room and associated works.

Decision A

1. The appeal is dismissed.

Decision B

2. The appeal is allowed, and listed building consent is granted for extension of existing dwelling to provide a home office and utility room and associated works, at Edbrooke Farm, Acland Lane, Cutcombe, Wheddon Cross TA24 7EL in accordance with the terms of the application, Ref: 6/8/20/110LB, dated 10 July 2020, and the plans submitted with it, subject to the conditions in the attached schedule.

Applications for costs

3. Applications for costs in relation to both appeals were made by Mr & Mrs MA & SS Sanders against Exmoor National Park Authority. These applications are the subject of separate Decisions.

Preliminary Matter

4. The appeals relate to the same proposal under different legislation. Appeal A is made in respect of the planning application and Appeal B in respect of the listed building consent. I have considered each appeal on its own merits.

Main Issue Appeal A

5. Whether the proposal is acceptable in relation to the cumulative enlargement of a dwelling within the Exmoor National Park, in the context of the adopted Policy.

Main Issue Appeal B

6. The effect on the significance of the listed building, known as Edbrooke Farm.

Reasons Appeal A

Cumulative enlargement of a dwelling

7. Policy HC-D15 of the Exmoor National Park Local Plan 2011-2031 (LP) establishes that proposals for residential extensions will be permitted where they satisfy certain criteria. This includes the requirement that they are not disproportionate to the original dwelling and in any case do not increase the external floorspace of the original dwelling by more than 35%.

8. Incremental extensions can cause an imbalance to the range and mix of housing stock within the National Park. The existing building is a large 6-bedroom farmhouse. The unmanaged extension of larger dwellings would have an effect upon the rest of the housing stock within the National Park, where occupiers of smaller homes would seek to create bigger dwellings to fill the gap left in the market. I am satisfied that managing housing stock in this way within the National Park accords with paragraph 172 of the National Planning Policy Framework (the Framework), which places great weight on conserving and enhancing the landscape and scenic beauty in National Parks.

9. The Exmoor National Park Authority (ENPA) advise that the original dwelling is defined in the preamble to the Policy as the floorspace that existed on 1st April 1974. The existing building was extended significantly following the grant of relevant permissions in 1995. This resulted in an increase in external floorspace of approximately 98-99%; the main parties disagree over the exact amount, but the difference is immaterial. The proposal would see further extensions to the building in two areas, which would result in a further increase to the floor area as it existed in 1974 of approximately 125%. The proposal would therefore be contrary to Policy HC-D15 of the LP.

10. Although the increase in floor area would be less than the large increase in the mid-1990s, it is still a substantial further addition. It is not clear what the policy position was at the time that these extensions were approved in 1995, or what considerations led to the grant of planning permission. The appellants suggest that the Policy should be applied to the current dwelling, which would include the 1990s extension, however such an approach would not be in accordance with the wording or aims of the Policy. The Policy exists to prevent further unmanaged cumulative extensions, so the presence of an existing extension does not automatically render further additions acceptable.

11. The office extension would be in the area of a large two storey barn that was removed to make the site safe. The details of this former structure before me are limited to historic maps and a plan from 1994 that sets out the footprint of the building only. Although it may have been used for some ancillary domestic functions it was detached from the dwelling and is referred to on the plan as a stone barn. As such, I am not satisfied that the existence of this former barn is

relevant to my consideration of the proposal in the context of Policy HC-D15 of the LP.

12. The ENPA has advised that a proposal for a detached office extension would mean that it would have the potential to fall outside this restrictive Policy, because it would no longer be a residential extension. Although I am mindful of the appellants views on this matter, I must determine the appeal on the merits of the proposal before me, which is for an attached home office for which Policy HC-D15 does apply.

13. It is suggested that a condition could be imposed that would limit the use of the office extension so that it is only used for the administration of the farming business. It could however be easily used for other office functions such as for family admin, or as a place for children to carry out homework, and it may be difficult to differentiate between such functions. Furthermore, the office extension would attach to the existing living accommodation, accessed through a pair of double doors with a pleasant outlook over the garden and a part glazed roof. It would thus be an attractive space that would suit a wide range of domestic uses including additional living space. For these reasons, with reference to paragraph 55 of the Framework, I am of the view that such a condition would not be reasonable and would be difficult to enforce.

14. I have before me a recent appeal decision where Policy HC-D15 of the LP was the most important Policy in the determination of the appeal[1]. The appeal was allowed. I note that there was dispute between the parties as to the exact percentage increase that the proposal would create, however the Inspector clarifies that even the greater increase would only have been very marginally over the limit provided by the Policy. This would be very different to the proposal before me, which would see a huge cumulative percentage increase to the size of the original dwelling. As such, the decision at Dulverton does not cause me to come to a different view on the acceptability of the proposal at Edbrooke Farm.

15. I am mindful of the submissions that seek to demonstrate the appellant's need for the proposed office extension. However, the existing farmhouse is large and there is no information before me to explain why space for an office could not be found within the existing building.

16. In summary, the proposal would be contrary to Policy HC-D15 of the LP, which seeks to ensure that residential extensions are not disproportionate to the original dwelling. There are no other material considerations before me that are of sufficient weight to indicate that the decision should be made other than in accordance with the development plan.

Reasons Appeal B

Listed building

17. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

[1] APP/F9498/D/20/3246061

18. Edbrooke Farm is a grade II listed building, known as 'Edbrook' on the list entry. The building's historic core is defined by two large rubble stone chimneys with a date stone of 1607 and comprises two rooms either side of a cross passage. It has a simple linear form and vernacular appearance, which is enhanced by leaded iron casement windows to the first floor. It sits in a rural setting, away from other built form other than associated agricultural buildings, with rising agricultural land to the rear. The building's simple vernacular appearance, its surviving plan form and historic fabric as well as its remote setting, are significant contributors to its special interest.

19. The proposal would see a modest linear utility extension added to the rear of the building. It would be accessed from the existing rear door and would take the roof pitch of the existing covered walkway, extended to terminate with a low eaves. It would adopt a simple form with limited openings and would represent a subtle addition to the rear of the building that would not be harmful.

20. The office extension would be larger and would be more prominently positioned at the west end of the house, facing out over the garden. However, it would be separated from the historic parts of the existing building by the large and prominently positioned 1990s extension. The main approach to the listed building is from the lane to the east. The office extension would not be visible from this important perspective, where the principal elevation of the original building, its historic extension and the attached barn can be viewed in their entirety.

21. As one moves around the garden area to the south the office extension would come into view. It would adopt a traditional pitched roof form, of a depth that would reflect the proportions of the existing building and its vernacular agricultural character. The roof would feature a large area of glazing where it would connect with the existing building, to which the ENPA objects, however I find that this would be visually contained by the solid roof and masonry gable of the western part of the extension. Furthermore, it would be adjacent to full height glazing on the west side of the existing extension that is spread over two floors. For these reasons I am satisfied that the extension would not appear out of place or at odds with the form and appearance of the existing building, and neither would it be prominent to view in the context of the building's principal historic elevations.

22. From the rising land to the south the building can be viewed in its remote rural setting, as evidenced by figure 2 of the appellants' heritage assessment. From these more distant views the office extension would be seen as a continuation of the linear form of the historic building, adopting a subservient single storey scale that would not be dominant.

23. In summary, the proposal would not harm the significance of the listed building. It would thus accord with the requirements of the LBCA and paragraph 193 of the Framework, which states that great weight should be given to the conservation of heritage assets. Although development plan policies do not strictly apply to applications for listed building consent the proposal would also accord with the policies set out in the ENPA's officer report and decision insofar as they relate to the application for listed building consent.

Conditions

24. I have had regard to the conditions that have been suggested by the ENPA, so far as they relate to the application for listed building consent. I have imposed conditions to ensure that the extensions are appropriately detailed and finished to avoid causing harm to the special interest of the listed building.

25. I have revised the wording of the condition suggested by the ENPA relating to rainwater goods to require the submission of details of such, rather than specify that they must be formed in a particular material. This is because the appellants suggest that PVCu fittings would be appropriate as they already exist at the building, however the ENPA has questioned whether these are permitted. Without further evidence it is not possible for me to conclude on this matter, and I am therefore satisfied that the less prescriptive wording of the condition I have imposed would allow the parties to explore the matter further to reach agreement.

Conclusion

26. Accordingly, for the reasons above, Appeal A should be dismissed and Appeal B should be allowed.

A Tucker

INSPECTOR

Schedule of Conditions

Appeal B Ref: APP/F9498/Y/21/3267929

1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

2) Prior to their implementation, samples of the stone clad exterior of the office extension and retaining wall shall be submitted to and approved in writing by the local planning authority. The sample shall include a sample board of at least 1m x 1m, showing the stone and mortar finish. Once approved the work shall be carried out in accordance with the approved details.

3) Prior to their implementation, details of the slates to be used on the roofs of the extensions hereby approved shall be submitted to and approved in writing by the local planning authority. Details shall include type, size and method of fixing. Once approved the work shall be carried out in accordance with the approved details.

4) Prior to their installation, details of the rainwater goods for the extensions hereby approved shall be submitted to and approved in writing by the local planning authority. Once approved the work shall be carried out in accordance with the approved details.

5) Prior to their installation, details of the window frames, rooflights and timber doors for the extensions hereby approved shall be submitted to and approved in writing by the local planning authority. Details shall include 1:20 drawings showing the profile of glazing bars and sealed units, methods of opening, reveal details and finished colour and treatment. Once approved the work shall be carried out in accordance with the approved details.