



Appeal Decision

Site visit made on 9 February 2022

by H Porter BA(Hons) MSc PGDip, IHBC

an Inspector appointed by the Secretary of State

Decision date: 18th February 2022

Appeal Ref: APP/K1128/D/21/3287405

2 Barn Court, Berry Pomeroy, TOTNES, TQ9 6GS

- 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 Richard and Sally Walker against the decision of South Hams District Council.
 - The application Ref 2662/21/HHO, dated 5 July 2021, was refused by notice dated 20 September 2021.
 - The development proposed is a single-storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey extension at 2 Barn Court, TOTNES, TQ9 6GS in accordance with the terms of the application, Ref 2662/21/HHO, dated 5 July 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 200-02 (Existing Floor Plan and Elevations); 200-03 (Proposed Floor Plan and Elevations).
 - 3) The materials to be used in the construction of the external surfaces and fenestration of the extension hereby permitted shall match those materials and colour of the external surfaces and fenestration used in the existing building.

Applications for costs

2. An application for costs was made by Mr & Mrs Richard and Sally Walker against South Hams District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area; and the effect on neighbours' living conditions with particular regard to obtrusive light.

Reasons

4. The appeal concerns 2 Barn Court (No 2), a semi-detached barn-style bungalow that is part of the recently completed Great Court development located towards the eastern outskirts of Totnes. No 2 is situated at the northern edge of the Great Court estate, bound by Blackpost Lane to the north

and by the gardens of mid-to-late 20th century bungalow housing that front Courtfield to the west. Blackpost Lane marks a discernible transition between the settlement edge of Totnes and the open countryside of the South Hams AONB beyond.

5. The Great Court development is comprised of detached and semi-detached dwellings, of varying detailed design and material treatment, presenting a cohesive aesthetic of single and two-storey dwellings that evoke the architectural language of agricultural barn-style or vernacular cottage-like buildings, albeit contemporary domestic ones. The material treatment and overall form of No 2 lend it a barn-like appearance, causing it to sit comfortably withing the context of the wider Great Court development.
6. The proposal is to add a single-storey 'garden room' at the western end of No 2. The extension would occupying a small patio area tucked to the side of the site, where existing boundary walls, fencing and garaging provide a high degree of containment. The lower ridge height and set-back from the extant building's principal elevations would off set the scale of the proposed extension and cause it to appear subservient and unobtrusive. Compared with the pattern of fenestration at No 2 and other properties within the wider estate, I do not consider the amount of glazing would be harmfully out of place.
7. Continual rooflines and flat gable ends are not a specific feature of the Great Court development, nor are they a-typical of traditional barns. In my judgement, the scale, design and material treatment of the proposal would ensure the appeal building retains its barn-like character and continued assimilation with the character of the Great Court development.
8. At night, when the proposed extension is occupied, light would inevitably emit from the sliding doors on the south and west elevations and from the horizontal obscure-glazed window facing Blackpost Lane. In my judgement the intervening distances, boundary screening, size and number of extant windows would limit any harmful impact on local amenity. The proximity of a tall streetlight I observed immediately outside the appeal site on the Blackpost Lane pavement edge, reinforced my view that the light emitted from the proposal would not be obtrusive.
9. The relative containment of the appeal site, in combination with the height of respective plot boundaries and distance to nearby properties would, in my judgement, ensure no harm in respect of overlooking, overshadowing or noise disturbance. While the garden available to the occupiers of No 2 would be smaller, the proposed extension would be over a patio area, leaving planting and grassed areas that would not be markedly small. That permitted development rights were removed does not prohibit the extension of properties per se. Informed by consideration of the proposals, location, and evidence relevant to this case alone, my decision to allow an extension at No 2 does not justify indiscriminate extensions or set a precedent across the wider estate.
10. I therefore find that the proposal would be accordance with the Plymouth and South West Devon Joint Local Plan 2014 – 2034, adopted March 2019 (JLP). Notably, JLP Policies DEV1, DEV2, DEV20 and DEV23 which, amongst other things, seek to ensure development proposals meet good standards of design, using materials and design solutions that are resilient to their context and have proper regard to the wider development context; avoid significant and adverse landscape and visual impacts; avoid safeguard the amenity of local

communities; and, limit the impact of light pollution on local amenity. I likewise find no conflict with the design and quality policies within the National Planning Policy Framework, 2021, notably at paragraphs 134 and 135.

Conditions

11. I have imposed conditions specifying the relevant drawings and time limits as these provide certainty. I have also added a condition that ensures details of materials, including colour, match the existing building in the interests of preserving the character and appearance of No 2 and the surrounding area.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

H Porter

INSPECTOR