



Appeal Decision

Site visit made on 19 July 2022

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2022

Appeal Ref: APP/J9497/W/22/3291936

**Popes Cottage, road from Old Orchard to Waterwell House, Christow
EX6 7LY**

- 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 Dr Kieran Martyn against the decision of Dartmoor National Park Authority.
 - The application Ref 0516/21, dated 14 September 2021, was refused by notice dated 17 November 2021.
 - The development proposed is alterations to existing guest accommodation within the grounds of Pope's cottage.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to existing guest accommodation within the grounds of Popes Cottage to include raising of roof and replacement roof covering at Popes Cottage, road from Old Orchard to Waterwell House, Christow EX6 7LY in accordance with the terms of the application, Ref 0516/21, dated 14 September 2021, 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: 871.01A; 871.11; 871.12A; 871-M1.

Preliminary Matters

2. The Dartmoor National Park Authority's (DNPA) reasons for refusal refer to a number of policies from the Dartmoor National Park Development Plan. Since the decision, these policies have been superseded by those in the Dartmoor Local Plan 2018-2036 (Local Plan), which was adopted on 3 December 2021, and now forms part of the development plan for the area. DNPA identified the relevant policies from the Local Plan that should be considered in the determination of the appeal in its Questionnaire and Officer Report. The appeal timetable has allowed the appellant the opportunity to comment on the implications of the change in status of the Local Plan since the decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The existing guest accommodation is a single storey outbuilding located within the rear garden of Popes Cottage. Due to the steep surrounding topography, the outbuilding is in an elevated position above Popes cottage, terraced into the hillside, with the garden continuing to rise behind towards adjacent agricultural land. Dwellings to the front of the appeal site are at a lower level, with views from the garden largely over their rooftops towards dwellings on the opposing valley side. The site is located in the lower part of Christow village, known as 'Lower Town'. The character of the village is one of traditional dwellings at its core, with the built form rising on the natural landform of the surrounding valley sides. The hillside location allows clear views of the outbuilding from the highway to the north, glimpsed views from other near viewpoints including the church yard, and distant views from the opposing valley side.
5. The appeal building's existing shallow roof pitch and low eaves height results in a low overall ridge height. However, due to the utilisation of a variety of differing materials and design features unsympathetic to the character of the area, including mineral fibre slate roof and uPVC roofline, shallow asymmetrical roof pitch, and irregularly proportioned fenestration, the existing outbuilding has minimal architectural merit and little aesthetic connection with the surrounding built form. It, therefore, has a negative impact on the character of the surrounding area.
6. The proposal seeks to make alterations to the outbuilding including fenestration changes and replacing the roof with a symmetric gable roof thereby increasing the height by 1.1m at ridge and increasing the northwest eaves height by 0.9m to facilitate a mezzanine. The resulting appearance would be more cohesive, and whilst the steeper pitch, and addition of flue, would result in an increased height, the materials and appearance are more in keeping with the local common building forms. I note DNPA's concerns that the proposed design would be 'top heavy' with 'inappropriate proportions' a criticism that appears to be linked to the increase in eaves height. However, I find the resulting proportions to be acceptable given the overall scale of the building relative to that of the host dwelling, and improvements to the appearance from the simpler form, steeper roof pitch and use of sympathetic materials. Notwithstanding the buildings elevated position, I find it will retain its subservient appearance and would continue to be read as an outbuilding to the rear of the host dwelling.
7. The location of the appeal site within the DNP is that of being within, and well related to the built form of a village, within a lower valley of the moorland fringe and is read as such from both near and distant viewpoints. Given the proposal's scale, design, and its relationship with the host dwelling and surrounding village, I find there would be no effect on the wider DNP from the proposal. It would thus conserve the landscape and scenic beauty of the National Park as required by paragraph 176 of the National Planning Policy Framework.
8. The Authority have cited conflict with Policy 3.7(2) of the Local Plan which permits an increase in habitable floorspace which exceeds 30% in exceptional circumstances. However, I have found no reference to the proposal resulting in an increase in floorspace exceeding 30% within the Authority's Officer report

and given the scale of the proposal, find no conflict with this element of the Policy.

9. Given all the above, I find the proposal would comply with Policies 1.2, 1.5 and 3.7 of the Local Plan. These Policies collectively seek, amongst other things, to ensure new development demonstrates character and appearance appropriate to the site and its surroundings, and conserves or enhances the quality and distinctiveness of the built environment and wider landscape. The proposal would also reflect the guidance within the Dartmoor Design Guide (2011), which requires that materials and the roof pitch of an outbuilding match those of the parent dwelling.

Other Matters

10. Concern has been raised by an interested party in relation to the potential future use of the building. However, this is not a matter before me in the context of this appeal which relates to alterations to existing guest accommodation to include raising of roof and replacement roof covering.

Conditions

11. In addition to the statutory time limit condition, a condition is necessary specifying the approved plans in the interests of certainty.

Conclusion

12. For the reasons given above, I find that the proposal is in accordance with the development plan, considered as a whole. There are no considerations of sufficient materiality to indicate that the decision should be made other than in accordance therewith. Therefore, I conclude that the appeal should be allowed.

S Harrington

INSPECTOR