The Planning Inspectorate

Appeal Decision

Site visit made on 17 August 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2022

Appeal Ref: APP/J9497/D/22/3294604
Gatehouse Mill, Peter Tavy, Tavistock, PL19 9NN

- 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 Ms R Myott against the decision of Dartmoor National Park Authority.
- The application Ref. 0676/21, dated 10 November 2021, was refused by notice dated 27 January 2021.
- The development proposed is extension to provide internal access from the kitchen with new patio area, removal of existing oak balcony and additional works to the front elevation consisting of removal of existing garage door for a new single access door and new canopy to existing front door.

Decision

1. The appeal is allowed and planning permission is granted for extension to provide internal access from the kitchen with new patio area, removal of existing oak balcony and additional works to the front elevation consisting of removal of existing garage door for a new single access door and new canopy to existing front door at Gatehouse Mill, Peter Tavy, Tavistock, PL19 9NN, in accordance with the terms of the application, Ref. 0676/21 dated 10 November 2021, and the plans submitted with it and subject to the conditions listed below.

    1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.

    2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

    3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings No. 21145 10.01 A; 21145 22.01 A; 21145 22.02 A; 21145 22.03 A; 21445 32.01 A; 21145 32.02 A; 21145 40.02 A.

    4) The roof of the development hereby permitted shall be covered in natural slate which shall be fixed by nailing only.

    5) The rooflights on the development hereby permitted shall be of the "conservation type" with a frame flush with the outer face of the roof slope.

    6) Notwithstanding the drawings hereby approved, all external doors and windows in the development hereby permitted shall be of timber and/or

aluminium construction and shall at all times thereafter be retained as timber and/or aluminium framed windows and doors.

7) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Gatehouse Mill.

8) Full details of the Biodiversity Net Gain wildlife mitigation measures (in accordance with the provisions of table 2.2 of the Dartmoor Local Plan) shall be submitted to and approved by the Local Planning Authority. The approved mitigation measures shall be in situ within three months of the first occupation of the development hereby permitted.

Procedural Matters

2. I have adopted the description of development as it appears on the decision notice as this more accurately describes the appeal proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area, with particular regard to the hosts property's classification as a non-designated heritage asset.

Reasons

4. The appeal site is located in the centre of the village of Peter Tavy. The host property comprises a large detached two storey former mill building with an attached single storey double garage. A driveway with parking is located to the front of the host property and gardens to the side and rear. The surrounding area comprises a mixture of single storey barns and two storey properties most of which are constructed, as is the former mill (mill), from stone and slate.

5. The Council's Delegated Report (DR) and reason for refusal indicate that the host property is classified as a non-designated heritage asset. This appears to emanate, according to the DR, from the fact the host property previously formed part of the historic Gatehouse farmstead. However, there is no evidence before me to indicate the basis on which the Council have classified the mill as such an asset or the criteria that was used to select it. Even so, as this has not been challenged by the Appellant, I have determined the appeal on the basis that the mill is a non-designated heritage asset.

6. Paragraph 203 of the National Planning Policy Framework (July 2021) (Framework) states that when assessing the effect of an application on a non-designated heritage asset a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. A similar approach is set out in Strategic Policy 2.7 of the Dartmoor Local Plan 2018-2036 (DLP) (December 2021), with part 3 b) stating that alterations and extensions to non-designated heritage assets will be permitted where any harm is balanced against the significance of the asset and found to be reasonable and justified.

7. The above policies must be read in conjunction with the following policies from the DLP: Strategic Policy 1.1 which states that development will be permitted where it delivers the National Park Purposes and protects Dartmoor's special qualities; Strategic Policy 1.2 which seeks to ensure that all proposals pursue

sustainable development; Strategic Policy 1.5 which requires all development to deliver good design; Strategic Policy 2.1 which requires all development to conserve and enhance the character of Dartmoor's landscape; and policy 3.7 which states that extensions and alterations will be permitted where they reflect the design principles of the Design Guide, are subservient to the original dwelling and conserve or enhance its character/appearance and surroundings, and do not increase the habitable floorspace of the original dwelling by more than 30%.

8. Although the DR and reason for refusal refer to the Dartmoor National Park Design Guide (DDG) I have not been provided with a copy of this document. However, the DR states that the principal issue with extensions, identified in the DDG, is their scale and as such they should be designed so as to not overwhelm the original dwelling and that on Dartmoor the distinctive style is for simple, uncluttered and robust forms, with particular considerations being scale, height, alignment, layout, detailing and materials.

9. Within the above context, the appeal proposal involves the replacement and extension of the existing link between the single storey wing (double garage) and main house; the replacement of one garage door with a pedestrian door and conversion of part of the garage to a hall/store room; alterations to the roof to create a canopy above the existing front door; extension of the patio area; and replacement of the existing first floor oak balcony with a Juliette balcony.

10. The Council do not object to a number of the proposed alterations, including the principle of removing the first floor oak balcony, albeit they do suggest that the replacement Juliette balcony would introduce a modern domestic feature that jars with the historic fabric of the mill. I have, therefore, had regard to the latter and to the Council's principal objection, which is to the size, scale and design of the new link extension on the rear (southern) elevation.

11. Planning permission was granted in December 2020 to rebuild the link section between the single storey wing and main house under reference 0446/20 (2020 Permission). The current proposal seeks permission for a larger extension to that approved. The submitted plans show that the proposal would effectively extend the approved extension further east along the southern elevation of the mill building to incorporate the existing kitchen door. The Council contend that this increased length would obscure a large section of the mill elevation, harming the character and appearance of this non-designated heritage asset and the wider area.

12. The improvements to the appearance of the mill resulting from the replacement of the existing link (conservatory) have already been recognised through the 2020 Permission. However, having compared the extent of the approved extension with that now proposed and viewed this on site, the increase in length and scale of the proposed extension would, in my view, be minimal. Whilst the appeal proposal would result in the existing kitchen door and the stone work either side and just above it being obscured, which would not be the case with the 2020 Permission, this difference would, in my view, be minimal. I disagree, therefore, with the Council's contention that the proposal would obscure a large section of the mill's original rear elevation. I accept that the proposed extension would increase the amount of the mill that is obscured, compared to the 2020 Permission, but that loss would not, in my view, detract

from or result in any harm to the character and appearance of this non-designated heritage asset.

13. Other than the existing kitchen door and surrounding stonework, the remainder of the southern elevation of the mill would largely remain as existing apart from the removal of the first floor timber balcony, which I understand is a later addition to the mill. As I confirmed earlier, the DR indicates that the Council do not object, in principle, to its removal. I concur with that view and consider that its removal would improve the appearance of this elevation, concentrating attention on those features that contribute to the original industrial appearance of the mill, including the existing water wheel, which I note would be restored. These elements define, in my view, the significance of this heritage asset.

14. Whilst I note the Council's comments concerning the proposed Juliette balcony I do not consider that this detail jars with the historic fabric of the mill and on the contrary it would, in my view, appear as a discrete addition to the mill that integrates well with the modern design of the proposed extension. In the DR the Council also suggest that the retention of the balcony might be preferable to the new Juliette balcony and whilst, for the above reasons, I disagree, I also disagree with the Council's suggestion that this balcony in any way resembles a traditional water mill launder. That is simply not the case. However, I do agree with the Appellant that the use of the Dutch gable design on the proposed extension would not be out of keeping with the modern design and would allow more of the original rear elevation to the mill to be visible.

15. As I observed on site, the proposal would be highly visible from public vantage points, specifically the road bridge across the river to the south east and I accept that there would be a material change in the appearance of the mill from these views. However, the Council's contention that the proposal would have a negative impact on the non-designated heritage asset is not, for the reasons given above, a view that I share. Similarly, I do not agree with the Council's contention that the proposal would detract from the character and appearance of the mill and wider area. As I found above, the opposite is the case, in that the section of the original mill wall that would be obscured by the proposed larger extension would be minimal and mitigated by the benefit of removing the timber balcony, with the latter increasing the extent of the original industrial elevation that would be visible, thus leading to the enhancement of public views of the mill.

16. The proposed extension and associated alterations would not overwhelm the original building and the proposal would be proportionate to the scale of and subservient to the host property, a finding which is supported by the fact that the Council have not objected to the increase in new habitable floorspace. Overall, the appeal proposal would conserve the character and appearance of the former mill and surrounding area, resulting in a development that would sit comfortably on the appeal site and would not lead to any harm to the significance of the non-designated heritage asset.

17. Accordingly, I find that the proposed development would preserve the character and appearance of the host property and surrounding area in that it would leave the significance of the non-designated heritage asset unharmed, and would thus be in accord with Strategic Policies 1.1, 1.2, 1.5, 2.1 and 2.7 and policy 3.7 of the DLP, the advice contained within the English National

Parks & The Broads UK Government Vision, the guidance within the DDG and the corresponding policies of the Framework.

Conditions

18. The Council has suggested various conditions which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans, for materials to match existing and to control the detail/fixing/materials of the new roof, rooflights and external doors/windows, are necessary and reasonable to secure a high-quality development, to reflect the details included within the application and to ensure that the pallet of materials and finish is of a high quality reflecting the mills classification as a non-designated heritage asset. I have, however, added a list of approved plans for clarity.

19. A condition which seeks to restrict the permitted development to a use that is ancillary to the main dwelling is also reasonable, necessary and enforceable, to prevent any part being used or occupied as a separate dwelling. I have, however, amended the suggested wording so that it is more concise. I also consider that a condition requiring biodiversity enhancement measures is necessary and reasonable, in line with Table 2.2 and Strategic Policy 2.3 of the DLP. However, the suggested wording would require the approved measures to be in situ within 3 months of planning permission being granted irrespective of whether the development proceeds or not. I have amended this to require the mitigation to be in situ within 3 months of the first occupation of the permitted development.

Conclusion

20. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR