



Appeal Decision

Site visit made on 30 August 2023

by K Reeves BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2023

Appeal Ref: APP/J9497/D/23/3317637

Bowhay, road from Little Aish to Aish Bridge Cross, Aish, South Brent, Devon TQ10 9JG

- 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 Roxburgh against the decision of Dartmoor National Park Authority.
 - The application Ref 0008/23, dated 1 December 2022, was refused by notice dated 28 February 2023.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at Bowhay, Road from Little Aish to Aish Bridge Cross, Aish, South Brent, Devon, TQ10 9JG, in accordance with the terms of the application, Ref 0008/23, dated 1 December 2022, 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: the Location Plan, the Block/Site Plan and Proposed Extension (drawing number DWG 2 of 2)
 - 3) Prior to their installation on the extension hereby permitted, samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved samples and retained as such thereafter.

Main Issue

2. The main issue is whether the proposed development would affect the mix of house sizes in Dartmoor National Park and whether that would result in a conflict with the development plan.

Reasons

3. The parties agree that, taking account of the previous extension granted in 1997, reference 9/45/094/96/03, the proposal would result in cumulative extensions over 30% above the size of the original dwelling. This would conflict with the requirements of Part 1(c) of Policy 3.7 of the Dartmoor Local Plan (DLP). The proposal does not meet either of the exceptional circumstances set out under the policy where an exceedance of the floorspace allowance would be permissible.

4. Paragraph 3.8.4 of the DLP states that in order to support sustainable communities and a vibrant economy it is important to ensure the National Park retains a mix of house sizes. Paragraph 3.8.3 explains the impact of extending properties on the available stock of smaller and more affordable homes in the National Park, which has made it harder for local people to afford to live in the National Park.
5. The proposed extension would create a small boot room of approximately 6.6 square metres and therefore would provide a minimal increase in the floor area of the dwelling. There would be no increase in the number of bedrooms and it would remain as a substantial dwelling. I have not been provided with evidence that demonstrates that the small-scale enlargement would have an effect on the affordability of the property. I find therefore that the proposal would not result in a loss of smaller sized housing from the local housing stock, nor would it result in a material impact on the mix of house sizes within the National Park.
6. There is no substantive evidence before me that would lead me to find that the extension would harmfully conflict with or undermine the aims and objectives of Policy 3.7. Moreover, I note that the NPA have not raised issues in relation to Parts 1(a) and 1(b) of the policy, which relate to design, form and impact on the character and appearance of the dwelling and its surroundings. This lends further support to my findings.
7. I conclude, therefore, that whilst the new extension would conflict with the 30% floorspace limit in Policy 3.7 of the Dartmoor Local Plan, the proposal would not lead to harm to the rural and locally distinctive character of this part of Dartmoor National Park and would also not affect the mix of house sizes in this part of the Park. Accordingly, the proposal would not result in harm to, or conflict, with the aims and objectives of Policy 3.7. Taking all of this into account, the proposed development in this case would not conflict with the development plan when read as a whole.

Conditions

8. I consider that the standard time limit condition and a condition listing the approved plans are necessary for the avoidance of doubt and in the interests of proper planning. Additionally, a condition requiring the submission and approval of external materials is needed to ensure that the protected landscape of the National Park is conserved. It would be reasonable for this condition to be prior to installation rather than prior to commencement.

Conclusion

9. For the above reasons, I have concluded that there is not a conflict with the development plan when read as a whole. Accordingly, I conclude that the appeal should be allowed.

K Reeves

INSPECTOR