



Appeal Decision

Site visit made on 24 October 2023

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07.11.2023

Appeal Ref: APP/Q1153/D/23/3330066

2 Fowley Barns, Tavistock Road, Okehampton EX20 4LR

- 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 Miss Amy Heard against the decision of West Devon Borough Council.
 - The application Ref 1183/23/HHO, dated 31 March 2023, was refused by notice dated 1 August 2023.
 - The development proposed is erection of a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a two storey side extension at 2 Fowley Barns, Tavistock Road, Okehampton EX20 4LR in accordance with the terms of the application, Ref 1183/23/HHO, dated 31 March 2023, subject to the attached schedule of conditions.

Background and Main Issue

2. Although the Council has provided 3 reasons for refusal, these all relate to the effect of the proposal on the character and appearance of the area. I therefore consider the main issue to be:

the effect of the proposed development on the character and appearance of the area, with particular regard to setting, design and scale.

Reasons

3. The appeal site comprises a well screened, large stone barn within generous gardens in a countryside location that has previously been converted into residential units of accommodation. The Planning Practice Guidance (PPG) says that local planning authorities may identify non-designated heritage assets as part of the decision-making process on planning applications. Consequently, although not formally identified as such, it is not disputed that the appeal site is part of an historic farmstead. Furthermore, given the barn is shown on the First Edition OS 1880 maps, there is no substantive evidence that it is not a non-designated heritage asset (NDHA).
4. The proposed two storey extension would increase the internal floorspace of the host property by 53%. The Council's Plymouth & South West Devon Joint Local Plan (JLP) Supplementary Planning Document July 2020 (SPD) says, amongst other things, that consideration will be given to the context of the site and the quality of the design proposal where more than a 50% increase in floorspace is proposed. Proposals of 50% or less are considered appropriate. It adds that permission may be granted if there is a demonstrable uplift in the

quality of built form and the primacy of the host dwelling is not unduly diminished.

5. The development would include the continuation of the existing roof line and its built form design. Furthermore, its massing would be reflective of the distinctive simple lines and robust nature of the host property. This would add an overall symmetry to the key features of the building's wider frontage elevation and consequently, would not appear out of place in terms of its overall scale or design. Therefore, although marginally above the 50% increase in floorspace, the proposal would not appear overbearing or dominant within the context of the site.
6. Additionally, the proposed development would make use of matching materials as well as timber cladding and a contemporary glazing design on the east elevation. Accordingly, the extension would maintain the host property's barn-like qualities whilst responding in an innovative and positive way to its setting as a NDHA in accordance with the Council's SPD Companion Document 'Traditional Buildings: Their Adaption and Re-Use (Barn Guide) (CD). In that context, it would have a neutral effect on the setting of the NDHA.
7. Although the proposal would increase the size of the host property from 3 to 4 bedrooms, I have already found that it would be of an appropriate scale. Furthermore, the policy desire amplified within the Council's SPD to retain a supply of smaller homes relates to replacement dwellings rather than extensions. Consequently, I find no reason to conclude there would be conflict in this regard.
8. Therefore, I conclude that the proposal would preserve the character and appearance of the area, with particular regard to setting, design and scale. As such, the development would accord with Policy TTV29 of the JLP and the Council's SPD and CD which, together in this respect support extensions that are appropriate in scale and design in the context of the setting of the host dwelling. There would also be no conflict with paragraphs 197 or 203 of the National Planning Policy Framework (the Framework) which, amongst other things, say that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Conditions

9. The Council has suggested a number of conditions which I have considered against advice in the Framework and PPG. I have made such amendments and omissions as necessary to comply with those documents.
10. I have imposed a plans condition in the interests of clarity. In the interests of the character and appearance of the area I have imposed conditions requiring details of stonework, timber cladding, slate roofing, joinery and external attachments.
11. I have amended the Council's suggested compliance condition in respect of biodiversity mitigation and enhancement by removing reference to matters controlled by other legislation. A condition requiring works to be carried out outside bird nesting seasons is necessary in the interests of biodiversity.

12. I have not imposed a landscaping condition as the proposed extension is of an appropriate design and scale. It is also well screened by established tree lined boundaries and a condition would therefore not be necessary. There is no substantive evidence that a lighting strategy would be necessary to make the development acceptable in planning terms, I have therefore not imposed this suggested condition.

Conclusion

13. For the reasons given, I conclude the appeal should succeed.

J Hills

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: A01-SLP01 - Site Location Plan; A02-BP01 Proposed Block Plan; A06-PGF01 - Proposed Ground Floor Plan; A07-PFF01 - Proposed First Floor Plan; A08-PEL01 - Proposed Elevations.
2. The stonework hereby approved shall be constructed of natural stone which matches the colour and texture of that occurring locally, a sample of which shall be submitted to and agreed in writing by the local planning authority prior to its installation. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones. The approved details shall hereafter be retained and maintained in perpetuity.
3. Details of the colour and finish of the timber cladding hereby approved shall be submitted to and agreed in writing by the local planning authority prior to installation. The approved details shall hereafter be retained and maintained in perpetuity.
4. The natural roofing slate hereby approved shall be of European origin and be submitted to and agreed in writing by the local planning authority prior to installation. The slate shall be fixed in the traditional manner using nails not hooks and retained and maintained for the lifetime of the development. The natural slate must accord with the hierarchy of origin and be compatible with local vernacular and design:
 - Reclaimed UK or European slates where available with proof of origin from supplier
 - New UK derived slates with proof of origin from supplier
 - New European derived slates with proof of origin from supplier
 - No other natural slate products will be considered acceptable

All new roof slates must be covered by a minimum warranty period of 50 years. Where possible, a product should be obtained that has an Environmental Product Declaration (EPD). If an EPD is not available, a verifiable certificate of origin or provenance will need to be supplied. The approved details shall hereafter be retained and maintained in perpetuity.
5. The joinery details of all new and replacement windows and doors, including their method of opening and proposed finish, hereby approved shall be submitted to and agreed in writing by the local planning authority prior to installation. All new and replacement windows and doors shall be first constructed and subsequently maintained in timber with a dark coloured finish in paint or stain and shall be recessed from the outer face of the wall. Standard background trickle vents shall not be used unless previously agreed in writing with the local planning authority. The approved details shall hereafter be retained and maintained in perpetuity.
6. Full details of all ducts, flues, rainwater goods, vents and other external attachments shall be submitted to and agreed in writing by the local planning authority prior to installation. The approved details shall hereafter be retained and maintained in perpetuity.

7. Notwithstanding the details set out on the submitted drawings, the recommendations, mitigation and enhancement measures of the Ecological Impact Assessment, by Lakeway Ecological Consultancy, dated 29 March 2023, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been submitted to the local planning authority and agreed in writing. Within 3 months of the completion of works, written confirmation that the enhancement measures have been correctly installed shall be submitted to the local planning authority. The approved details shall hereafter be retained and maintained in perpetuity.
8. The works hereby approved shall take place outside of the bird nesting season which runs from 1 March to 31 August in any year unless a breeding bird check by a suitably qualified ecologist has been carried out immediately prior, no more than 48 hours, to works starting, and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.