



Appeal Decision

Site visit made on 8 November 2023 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/K1128/D/23/3322221

Clanturkan Cottage, Aveton Gifford, Devon TQ7 4NQ

- 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 D Brooker and Ms G Hill against the decision of South Hams District Council.
 - The application Ref 4432/22/HHO, dated 19 December 2022, was refused by notice dated 6 March 2023.
 - The development proposed is described as 'householder application for demolition of existing side extension and replacement with new side extension and associated works (resubmission of application 0862/22/HHO).'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Areas of Outstanding Natural Beauty (AONB) have, since 22 November 2023, been renamed as National Landscapes. This change in terminology has not affected the reasons for their designation or the fundamental aspects of their special qualities. I have accordingly referred to the South Devon AONB as the South Devon National Landscape (SDNL) in my recommendation.

Main Issue

4. The effect of the proposal on the character and appearance of the area with specific regard to the SDNL and local trees.

Reasons for the Recommendation

5. The appeal building is an attractive detached two storey stone cottage with a hipped roof. Whilst it has clearly had modern replacement windows, it retains much of its traditional form and external materials. There is a single storey extension to the side. Its setting is distinctly rural and there is something of an agrarian feel to its surroundings in stone walling and other stone outbuildings. The traditionality and originality of the building and its associated structures relate positively to the wider area and special rural qualities of the SDNL and are high quality elements of the local built environment.

6. Whilst the proposal would use a hipped roof form, and there appears to be an attempt at subservience by keeping the ridge line low, there would be a lack of design coherence to the original roof in regard to shape and depth. This disproportionality would create a distinct separation between the elements of the building and contribute to a lack of harmony between the original house and the extension.
7. Despite the fact that the ground floor area of the extension would be less than that of the original house, the extension would appear almost as wide. The setbacks on both the front and rear elevations would be only slightly shallower given the first-floor overhang. The mass and scale of the proposal would elongate the original house on the horizontal plane and exacerbate the disproportionality of the roof form.
8. The vertical application of the wooden struts and cladding would jar against the horizontal coursing of the cottage's traditional stonework. There is no evidence of the use of the type of cladding either on site or in the vicinity. It would therefore fail to reinforce local distinctiveness. There is some use of metal roofing on the wider appeal site, but its attachment to the cottage would directly contrast with the traditional slate. Whilst it would signal the junction between old and new, it would do so abruptly and unsympathetically. The same would be so for the use of the steel porch on the front elevation.
9. The Plymouth & South West Devon Joint Local Plan 2014-2034 (the Local Plan) does not resist modern materials, and in some circumstances high quality, innovative modern design which sits acceptably juxtaposed to the traditional. However, and for the reasons I have set out, this would not be the case for the appeal scheme. It may also be possible to overcome the above harm by agreeing conditions pertaining to materials, but the scheme has been designed specifically with the proposed materials in mind. It would not therefore be the correct approach here.
10. The submitted Tree Survey identifies hedge H7 as moderate quality and tree T6 as low-quality amenity trees. However, there is no indication of who undertook the survey work and subsequent mitigation recommendations or what methodology was applied. As such I cannot be certain that the survey work and recommendations were undertaken by a competent person to the required standard, or that they would be regulated by an appropriate professional body.
11. T6 appears to be within the zone of works required to form a substantial retaining wall shown on plan CK-H 3.1/A. My site visit was undertaken in autumn and the leaves had mostly fallen from the trees; however, the tree appeared healthy and of a size, age and position that its loss would adversely affect visual amenity. H7 also contributes positively to the overall verdancy of the appeal site. I cannot be certain from the submitted evidence how the retaining wall can be constructed without losing T6. Furthermore, given the proximity of H7 to the proposed extension and the steep nature of the ground in that location, I cannot be certain from the information provided that the development would not result in the loss or deterioration of either.
12. For the reasons set out, the appeal scheme would have an unacceptably adverse effect on the character and appearance of the area through the use of specific design and materials. By association, this would reduce the appeal and erode the special rural qualities of the SDNL. The purpose of conserving and enhancing the natural beauty of which should be given great weight. It has

further not been satisfactorily demonstrated that trees and hedges of visual amenity value would not be harmed or removed.

13. Accordingly, the proposal would fail to comply with Policies TTV29, DEV20, DEV23, DEV25 and DEV 28 of the Local Plan, and Policies BP2 and BP7 of the Bigbury Neighbourhood Development Plan (2020), insofar as they require development to have proper regard to the pattern and scale of local development, local distinctiveness, and require development to protect and maintain the unique National Landscape, and seeks to avoid the loss or deterioration of trees or hedgerows. For the same reasons, the proposal would also fail to comply with the Plymouth and South West Devon Joint Local Plan Supplementary Planning Guidance (adopted 2020) and the National Planning Policy Framework 2023.

Other Matters

14. The appellant states that biodiversity onsite and the thermal efficiency of the dwelling would be increased, but I have not been provided with any evidence to demonstrate the uplift or degree of change so am unable to apportion the matters more than very limited weight. I note local support for the scheme, but this does not negate the requirement for it to be assessed under the policies of the Local Plan. Furthermore, compliance with part thereof does not mean that it would comply with the plan as a whole, as I have explained above.

Conclusion and Recommendation

15. For the reasons given above, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight (including the Framework) that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR