



Appeal Decision

Site visit made on 19 February 2024

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2024

Appeal Ref: APP/Q1153/D/23/3332302

Chapple Orchard, Sampford Courtenay, Okehampton EX20 2TJ

- 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 and Mrs Vallance against the decision of West Devon Borough Council.
 - The application Ref 4149/22/HHO, dated 25 November 2022, was refused by notice dated 8 August 2023.
 - The development proposed is a householder application for extensions and alterations to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the host building and area, including whether or not the scheme would comply with the development plan approach for the extension of dwellings in the countryside, and
 - the effect of the development on the setting of 1 and 2 Dartmoor View¹, a Grade II Listed building.

Reasons

Character and appearance

3. Chapple Orchard is a modestly sized, two storey dwelling which was converted from an older agricultural building some decades ago. It has pleasant proportions, with a single room depth and reasonably steeply pitched roof. The information shows that with other buildings in the past, it was an ancillary building within the farmstead group at Chapple Inn. Its historic use can still be appreciated from its proportions, elements of its appearance and relationship to the main house.
4. The Council consider that the building should be considered a non-designated heritage asset. This appears to be principally on the basis that it is identifiable on the First Edition OS 1880 map and Second Edition OS 1904 map and that it

¹ The decision notice refers to 1 & 2 Dartmoor Cottages, but the Listing Description and other details refer to 1 & 2 Dartmoor View.

is argued the original stone barn has been converted whilst retaining its historical value.

5. The Planning Practice Guidance (the Guidance) explains that non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.
6. Chapple Orchard while displaying elements that reflect its origins, nevertheless, has been substantially altered. For instance, the end section nearest Chapple Inn has been removed, the northern elevation has lost areas of fabric and now has some large, uncharacteristic openings, the roof structure has been altered and there is an extension to the southern elevation, some of which obscures more modern brick work which has been added to the main building elevation.
7. The building has not been previously identified as a non-designated heritage asset, including in the local (or any neighbourhood) plan-making process, and it does not appear that the local planning authority maintain a list of such buildings. In this case, given the changes to the building, I do not consider that the evidence available demonstrates that the structure has the required degree of heritage significance that would merit its consideration as a non-designated heritage asset in this decision making process.
8. The first reason for refusal also mentions that the proposed extension would cause less than substantial harm to other non-designated heritage assets but does not clearly specify which buildings this is referring to. While some surrounding buildings, such as Chapple Inn and Chapple Cottage, are also shown on the older OS maps, there is again no persuasive evidence that they have sufficient heritage significance to fulfil the Guidance approach to being considered as a non-designated heritage asset.
9. As a consequence, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (adopted March 2019) (the JLP), which concerns in this respect development that may affect non-designated assets, is not directly applicable to the considerations in this appeal.
10. In terms of the appeal proposal, while I do not consider that the building should be considered as a non-designated heritage asset, it nevertheless, as I have explained, has traditional proportions, a reasonably pleasant appearance and associated relationship to the other buildings within this group. These are some of the important characteristics to help judge the effect of the extension on the host building and the area.
11. In terms of the appeal proposal, the extension would be added to the southern elevation which faces down the rear garden and towards more open countryside. In general, to this elevation, a modern and/or contrasting external material could help to distinguish the new fabric from the old, and a more contemporary approach to extend an older building could have merit. I, therefore, do not object as a matter of principle to the proposed external materials and a more contemporary approach to the design.
12. However, in comparison with the existing building, the proposed extension would be a very sizeable addition. The extent of projection away from the building, the width and proportions of the gable and the angle of roofs sloping

up to the ridge, would pay little regard to the characteristic proportions and scale of the original building. The result would be that the scale, mass and proportions of the extension would so overwhelm the original modest form of the southern elevation of the converted barn that the extension would be harmfully out of character with this building within its rural surroundings and amongst the farmstead group.

13. The effect would be that the addition would appear as a jarring and intrusive feature that would not be sympathetic to local character and history, including the built environment and landscape setting. Consequently, the proposed extension would not meet with the requirements of the National Planning Policy Framework (the Framework) when seeking to achieve well-designed and beautiful places.
14. While the extension may not be very visible, if at all, from public locations, that does not justify an addition that would be harmful to the host building and immediate rural surroundings, including because it would be experienced from some of the adjoining private land, such as from the rear garden of Chapple Inn.
15. Furthermore, the JLP Supplementary Planning Document 2020 (the SPD) gives guidance on the appropriateness of the scale of residential extensions and, therefore, the overall size that may be appropriate as an addition. This is in relation to Policy TTV29 of the JLP, which requires extensions to be appropriate in scale and design in the context of the setting of the host building. The SPD advises that an extension may be appropriate under Policy TTV29 if it does not seek to increase the internal floorspace of the original house by more than 50 per cent.
16. In this case, the extension would appear to increase the floorspace to a greater extent than 50 per cent. Nevertheless, the SPD can allow for the consideration of a larger extension in the context of the site and the quality of the design proposal. However, given the harm that I have found that would result from the scheme, and that the primacy of the host building would be unduly diminished, the circumstances which could allow a larger floorspace under the SPD guidance for Policy TTV29 of the JLP would not be met.
17. I have taken into account the details which explain the design approach and considerations that have led to the size and form of the extension. In particular, inspiration has been taken from the example of a sizeable extension at Batelease Farm. However, that extension stands separate from the main house with a connecting link that allows the main building still to be appreciated. Furthermore, that extension has sympathetic proportions to the original building and I agree, on the details available, that the agricultural building form and scale of the extension sits well in its context. That addition can be contrasted with the appeal proposal which would not have sympathetic scale and proportions to the host building and which would overwhelm the southern elevation. Consequently, I attribute very little weight to the extension at Batelease Farm as an example that helps justify the present scheme.
18. I am also aware that other buildings in the vicinity of the appeal site have been extended and, based on the submitted information and my observations at the site visit, they appear to be reasonably complementary additions. I do not consider that these other extensions help to justify the size and form of the

extension proposed for Chapple Orchard because of the harm that would result from that addition.

19. The case is also made that, as the appeal building is a dwelling with permitted development rights, substantial rear extensions could be added which would not require permission and that these are realistic alternatives. However, the single storey additions which could be added under permitted development rights, while sizeable in floorspace, would likely retain unaltered most of the upper sections of the building, and therefore would maintain most of the buildings modest proportions and form. With the potential two storey rear extensions which are indicated, they would extend across the rear of the building but would project materially less into the garden area and would likely to be of a scale and size much less dominant than the rear projection proposed in the appeal scheme. Based on the information available, while it would be in part dependent on the design, any permitted development rights extensions would, in my view, be likely to be less harmful than the appeal proposal. Consequently, any fallback scheme under permitted development rights should be afforded little weight in support of the appeal proposal.
20. The scheme proposes some other changes to Chapple Orchard, such as the remodelling of the north elevation. These are generally positive changes that would address some of the previous alterations to the building. However, these positive elements would not compensate for the manner in which the extension would introduce a harmfully incongruous form of development to the detriment of the host building and immediate area.
21. In the light of the above analysis, I conclude that the proposal would unduly harm the character and appearance of the host building and area, and be of a size which would not accord with the development plan approach to the extension of dwellings in the countryside. Accordingly, the scheme would conflict with Policies DEV23 and TTV29 of the JLP and the supporting information in the SPD which, amongst other things, seeks to ensure that a residential extension is appropriate in scale and design in the context of the setting of the host dwelling.

Listed building

22. 1 and 2 Dartmoor View are a pair of Grade II Listed cottages fronting the road near the cross roads. Their heritage significance includes their mid-17th Century age, plastered cob walls, thatched roof and plan form. They form an attractive feature which is prominent in the street scene.
23. In relation to the listed cottages, Chapple Orchard is located on the other side of the road and behind other buildings such as Chapple Inn. The southern elevation of Chapple Orchard, which would be extended, faces out towards open countryside and is not visually or functionally associated with the listed cottages.
24. Because of the position of the extension, the intervening buildings and the lack of relationship with 1 and 2 Dartmoor View, the addition to Chapple Orchard would have no effect on the setting or heritage significance of the listed cottages. In these circumstances, I conclude that there would be no conflict with Policy DEV21 of the JLP nor the Framework which seek, notably in this respect, to give great weight to the conservation of heritage assets.

Planning Balance and Conclusion

25. I have taken into account the support for the proposal from local residents and the Parish Council. There are no public representations in objection to the development.
26. I have also carefully considered the personal circumstances which are advanced in support of the application, including that it could be undertaken as a self-build project. The proposal would allow the appellants and their family to stay within this community, continuing their local connections and to be able to live and work in a purpose designed extension with an associated upgrade to the existing property to meet their needs.
27. However, while I understand the benefits that this would provide, an extension to the building could take other forms, including under permitted development rights. Consequently, I am not satisfied that the personal circumstances which are advanced would justify the specific design and size of the extension. Furthermore, any permission would run with the land and result in a permanent development which would exist long after any personal circumstances. Taking all these matters into account, for the reasons explained, I attach limited weight to the personal circumstances to justify the appeal proposal.
28. There would be other benefits which would result from the scheme, such as the economic benefits to the local area with the construction work. Additionally, the development would lead to improvements to the fabric of the existing dwelling and result in a much more insulated, energy efficient and low carbon accommodation. The extension would result in the overall accommodation meeting the appropriate space standards for a three bedroom dwelling and, therefore, provide accommodation with high quality living conditions. There would be landscape improvements and other ecological elements, such as bird boxes and the provision of Devon banks, that would increase biodiversity. However, the delivery of these benefits is not solely dependent on the precise extension which is proposed and again I attach these matters limited weight.
29. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
30. In this case, the harm resulting from the size and design of the extension would conflict with Policy TTV29 of the JLP and given the extent of harm this should be attributed substantial weight. It is such that the level of harm and related policy conflict leads to the conclusion that the scheme would conflict with the development plan when considered as a whole.
31. The benefits of the scheme, which I have outlined above, should cumulatively be attributed limited weight in favour of approval. It follows that the substantial weight that I attribute to the harm and related policy conflict would not be outweighed by the benefits of the development.
32. For the reasons given above, there are no material considerations that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed. This decision would be a proportionate response taking account of all matters

in support of the proposal, including the personal circumstances of the appellants.

David Wyborn

INSPECTOR