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# Appeal Decision

Site visit made on 9 May 2024

**by Lynne Evans BA MA MRTPI MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 30.05.2024**

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**Appeal Ref: APP/P1133/D/24/3339775**

**Bow Barn, Bow Cross, Broadhempston, Totnes TQ9 6AT**

- 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 Jack Gordon against the decision of Teignbridge District Council.
  - The application Ref: 23/02177/HOU dated 7 December 2023, was refused by notice dated 2 February 2024.
  - The development proposed is extension.
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## Decision

1. The appeal is dismissed.

## Costs Decision

2. An application for costs was made by Mr Jack Gordon against Teignbridge District Council. This application is the subject of a separate decision.

## Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing building and site and the local area.

## Reasons

4. The appeal site lies within the open countryside and at the junction of two unnamed roads, beyond any settlement limits. It benefits from a prior approval under Part 3 of Class Q of the General Permitted Development Order granted under the reference 21/01161/NPA for a change of use of agricultural building to a dwelling, which has been implemented. The plan of the Class Q prior approval shows a modest single storey, rectangular building with one bedroom, bathroom and open planned living room, dining area and kitchen.
5. The proposal would seek to add a single storey extension to the north east side to increase the accommodation to three bedrooms each with en-suite bathrooms and an open planned living room, dining area and kitchen. There would be a central flat roofed area between the original building and the rest of the extension that would have a pitched roof in similar form and proportions to the existing building. The extension would not be as long as the existing building but would be significantly wider, with the Council indicating that the floorspace would be increased from 41sq m to approximately 110sq m.

6. Notwithstanding the approval and implementation of the Class Q scheme for the creation of a one bedroom residential unit, the site is in the open countryside where the Council's policies, including Policy S22 of the Teignbridge Local Plan adopted in 2014 (Local Plan) makes clear that land outside defined settlements is classified as open countryside where development will be managed to provide attractive, accessible and biodiverse landscapes sustainable settlements and a resilient rural economy. The policy goes on to state that development will be strictly managed and limited to uses which are necessary to meet the overall objectives including the alterations and extensions of existing dwellings
7. Policy WE8 of the Local Plan relates to all extensions and ancillary residential development which will be permitted subject to a number of criteria including that the scale is appropriate to the existing building.
8. The Class Q conversion results in a very modest dwelling on the site, housed within a simple, rectangular building. The modest scale and proportions of the existing building allows it to present as a small scale development which is unassuming within the open, rural site and the rural landscape.
9. The proposed extension would more than double the width of the building as well as the overall size of the building. The addition of the extension would result in a much larger and more substantial building on the site. Notwithstanding the use of materials found within the Class Q conversion, I do not accept the Appellant's contention that the proposed design style would be deferential to the character of the earlier building. It would be a sizeable addition that would overwhelm the much more modest proportions and scale of the existing building. It would cut into the sloping land to the east with an awkward junction between the built development and slope of the land and would not blend appropriately into the surrounding landscape.
10. The extension would not be extensively visible from public viewpoints and such views would be largely glimpsed views. However, this would not by itself render the development acceptable given the significant scale of the proposal which would not be sympathetic to the scale and configuration of the Class Q conversion and its modest siting within the open rural site.
11. I therefore conclude that the proposed extension would not respect the character and appearance of the existing building and its site or the local area. This would conflict with Policies S1, S2, S22 and WE8 of the Local Plan as well as the National Planning Policy Framework (Framework) and in particular Sections 12 and 15, all of which amongst other matters seek a high quality of design which respects the local context, including the intrinsic character and beauty of the countryside.
12. I do not agree with the Appellant's contention that the policies referenced in the decision notice and in this appeal refer primarily to 'greenfield' sites, untouched by previous developments. They are equally applicable to all new development including the proposal the subject of this appeal.

### **Other Considerations**

13. I have noted the suggestions by the Appellant that a larger home would offer greater usability of the building by a wider range of occupants, including families and the disabled. The Framework supports a wide range of homes to

be provided but there is nothing before me to indicate that there is a particular need for the type of homes that the Appellant has referred to compared with smaller, more modest homes.

14. The Appellant has drawn my attention to permissions granted by the Council for extensions to existing houses in the countryside. As the Appellant has recognised each proposal must be judged on its individual merits but in so far as the information has been made available to me, I have taken them into account. However, it appears to me from the limited information available that these schemes are very different to the one before me and they do not persuade me to a different conclusion. The development plan policies do not suggest that no development will be allowed in the countryside, but the existence of permissions for extensions to other dwellings does not automatically indicate that this proposal should be allowed.
15. It is fully recognised that the proposal is for an extension to the existing building which benefits from a Class Q prior approval. I agree that the Council's use of the term 'fall back' position in the decision notice is not completely clear but there appears to be no confusion that the proposal relates to an extension.

### **Conclusion**

16. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

*L J Evans*

INSPECTOR