



Appeal Decision

Site visit made on 12 December 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 3 January 2025

Appeal Ref: APP/H0520/D/24/3351144

Ash Barn, Oak Acres Farm, Parkhall Road, Somersham, PE28 3HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Clark against the decision of Huntingdonshire District Council.
 - The application Ref is 24/00683/HHFUL.
 - The development proposed is the erection of rear extension to form ancillary residential accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of rear extension to form ancillary residential accommodation at Ash Barn, Oak Acres Farm, Parkhall Road, Somersham, PE28 3HQ in accordance with the terms of the application, Ref 24/00683/HHFUL, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling house known as Ash Barn, Oak Acres Farm, Parkhall Road, Somersham, PE28 3HQ and it shall at no time be independently occupied or let or disposed of, or used to accommodate bed-and-breakfast guests or other short-term visitors paying rent or fees
 - 4) The development, hereby permitted, shall not be occupied until the proposed window serving the shower room in the west elevation of the development has, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity). The glazing shall thereafter be retained in accordance with these details.

Main Issue

2. The main issue in this case is the effect of the proposed development on the building, and on the character and identity of the area and the wider countryside.

Reasons

3. Ash Barn is a detached dwelling with associated detached garage located in a relatively recent development on land once occupied by agricultural buildings. Whilst the garage is detached, a previous application (22/01935/HHFUL) permitted a single storey extension to link it with the house as well as to convert the roof space to residential use. This permission has not been implemented but remains valid until the 20 December 2025.
4. The appeal proposal is to extend the garage by a pitched roof rear extension providing a kitchen/living room, shower room and bedroom with the garage space at the front retained and the first floor occupied by a study and W.C. A stairwell adjacent to the garage would link the ground floor and roof space accommodation. The drawing for the proposal also shows a new external chimney stack, although this is not mentioned in the description of the development.
5. There are 3 policies on which the refusal of permission is based. These are Policies LP10 (b), LP11 and LP12 of Huntingdonshire's Local Plan to 2036 (adopted 2019). Policy LP10: 'The Countryside' restricts development in the countryside, seeking to a. avoid best and most versatile agricultural land, b. ensuring the intrinsic character and beauty of the countryside is recognised, and c. avoiding impacts such as noise and odour that would affect the enjoyment of the countryside. It is LP10 b. of this policy that is relied upon. In finding the proposal as contrary to this policy, the officer's report accepts that it would not appear incongruous, and that its scale would not overwhelm the site, whilst its materials would support its integration. In my view, the proposed development also complies with Policies LP11 and LP12.
6. As the refusal notice makes clear, in spite of the general appraisal against the policies being favourable, the objection is to the scale of the proposal which it is said would not retain the character of a building as subordinate, ancillary and incidental to the principal dwelling. I note that the decision does not include any objection to its use as an annexe, it having been recognised that this could be dealt with by way of a condition.
7. My conclusion is that the proposed extension would be a subordinate and ancillary addition to the host dwelling. It would be linked by a lobby; it would be hidden from the front by the large gable roofed garage, set well back from the front of the house, (which is only glimpsed from the road), and it would project to the rear under a lower gabled roof running at right-angles to both the garage and the house. Furthermore, its materials would match and support the integration. From the open countryside, its impact would be negligible.
8. It is criticised as having a floor area that would meet the requirements for a 2-storey, 3 bedroom dwelling as provided for in the Technical housing standards (nationally described space standard). But these are minimum standards, and there is no restriction on the size of a house providing it fits with its surrounding and is well designed. As an annexe, it would not contain an extravagant amount of accommodation: a living room and kitchen and bedroom with en suite on the ground floor, and a study within the roof space.
9. For these reasons the appeal proposal would not conflict with the development plan policies. I will therefore allow the appeal.

Conditions

10. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 4 conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance.
11. The first condition requires that the materials match the existing and the second that the development should be carried out in accordance with the plans. I agree that the first of these is necessary to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner. The second can be incorporated into the wording of the decision for certainty and avoidance of doubt as to the development permitted. The third suggested condition is to allow the council to retain control over the use of the annexe, since an independent dwelling would not accord with planning policy, and to avoid harm to the character of the area and to protect the amenity of neighbouring occupiers. The fourth condition requires obscure glazing to a window, that is also necessary to secure residential amenity.

Terrence Kemmann-Lane

INSPECTOR