



Appeal Decision

Site visit made on 13 November 2024 by S Indermaur

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2025

Appeal Ref: APP/K1128/D/24/3344467

Barkingdon Manor, Staverton, Totnes TQ9 6AN

- 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 Ms Philippa Hutton against the decision of South Hams District Council.
 - The application Ref is 0549/24/HHO.
 - The development proposed is the erection of a replacement ancillary garden room/summerhouse.
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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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal dwelling is a large white rendered property that is set within extensive grounds. There is a modest timber clad garden room with a pitched felt roof that is set on stilts and situated close to the site entrance. The summerhouse is positioned at the highest point in the front garden, which is a considerable distance from the host dwelling, making it the first structure visible when approaching the site. The garden room is partially screened from the host dwelling by existing trees and shrubs. Properties within this area demonstrate a variety of styles and there is a neighbouring dwelling with a similar building line to the outbuilding.
5. The proposed development is situated in open countryside and lies within an area characterised as 3B: Lower Rolling Farmed and Settled Valley Slopes in the South Hams Landscape Character Assessment 2018 (LCA). This character type is identified as a “sporadic clustered settlement pattern of small farms and hamlets is linked by narrow lanes enclosed by high Devon hedges and woodland”. The openness and rural character of the appeal site and its surroundings positively contribute to the character and appearance of the area.
6. The design of the proposed garden room would share materials and architectural details such as similar roof type, fenestration and pillars to the host dwelling. In this

case, the existing timber cladding is more design appropriate to the landscape context where there is a strong presence of trees and other landscaping. In addition, the differentiation of its size, design and appearance to that of the host property creates a clear visual ancillary relationship.

7. The existing building is considerably smaller than the host dwelling. The combination of the proposed siting, which exhibits a similar building line to the neighbouring property, materials, increased scale, and architectural details would create a building that appears very much as a separate dwelling, even though this is not the proposed use. The harm is exacerbated by the elevated topography, the landscape screening that exists between the host dwelling and the site of the proposed development, combined with the low boundary and relatively open frontage. Those features, along with the design, size and materials, compounds the clear sense of division and prominence that would be created by the proposed development, which for these reasons would represent a somewhat alien and incongruous feature. The fact that it would be confined to within the existing boundary wall does not create a clear relationship with the host dwelling as has been suggested.
8. Overall, the proposed development would result in significant harm to the character and appearance of the area and would not be compatible with its open landscape setting. The proposed development would be contrary to Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan (2014-2034). Collectively, these policies seek to ensure that proposals maintain an area's distinctive sense of place and scenic quality with regard to the pattern of local development in terms of location, style, siting, visual impact, scale, massing, height, materials, detailing, character and landscape features.
9. There would also be conflict with the National Planning Policy Framework (2024) (the Framework) which seeks to ensure development is of good design that is sympathetic to local character and landscape setting.
10. In addition, the proposed development would conflict with the Landscape Guidelines as set out within the LCA which state that the settlement pattern of houses, farms, hamlets and small nucleated villages should be protected and that development which is uncharacteristic and visually intrusive should be resisted.

Other Matters

11. The appellant has referred to development which may be undertaken without planning permission under Class E of the General Permitted Development Order (2015). It is, however, agreed that the proposed development would not constitute 'permitted development'. There is also limited consideration of a specific, alternative development, against the limitations of Class E, and I therefore give this limited weight.
12. There is a double car port building on the appeal site that has a higher ridge height than the proposed development. However, the principal elevation has a large door without any windows, appearing as a car port and not a separate dwelling. Furthermore, the proposed development is in very close proximity to the host dwelling and therefore for these reasons appears ancillary.
13. A Landscape plan that included a footpath to provide a linkage between the main house and the proposed development would not sufficiently mitigate the harm

identified, with regards to the proposed development not appearing as ancillary to the host dwelling.

14. The appellant has referred to an appeal for a property that is located within a markedly different context. Therefore, this does not present the necessary justification to allow the development as proposed and I give it limited weight.
15. There would be some minor benefits of having additional storage and workshop space and the existing garden room is in need of repair. However, there is no evidence that the proposed development is the sole means or the most appropriate way to deal with this. As such these factors carry limited weight in favour of the appeal.
16. I acknowledge the appellant's reasons for pursuing the proposed development. These are, however, primarily personal circumstances that seldom outweigh land use planning matters.
17. The appellant has raised concerns over the Council's handling of the application. Whilst a lack of engagement may be disappointing to the appellant, these are not land use planning matters or reasons to allow the appeal.

Conclusion and Recommendation

18. The proposed development would therefore conflict with the development plan and there are no identified other considerations, including the Framework, that outweigh this conflict.
19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

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

A M Nilsson

INSPECTOR