

Appeal Decision

Site visit made on 3 August 2016

by **Andy Harwood CMS MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 August 2016

Appeal Ref: APP/Q1153/W/16/3151684

Hayfield House, Hayfield Road, Exbourne, Devon EX20 3RS

- 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 Alan and Mandy Sanders and Rideout against the decision of West Devon Borough Council.
 - The application Ref 01108/2015, dated 7 October 2015, was refused by notice dated 7 April 2016.
 - The development proposed is a new 2 storey, 3 bed family dwelling with single storey garage/workshop, 149m² gross floor plan to land north of Hayfield House within the Exbourne development boundary and partially within its conservation area. Accessed off The Tumbles (private road) to the west with 2 car park spaces.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the appellants' names as they are set out on the planning application forms although the Council has stated them as Mr A Sanders and Mrs M Rideout. I have also taken the description of the proposed development from the application form and the Council simplified this to "application for new 2 storey, 3 bed roomed dwelling with single storey garage/workshop".
3. Reference is made within representations to a proposed extension to Hayfield House. This has been shown on one of the submitted plans but was not in place at the time of my visit and does not include part of this proposal.

Main Issues

4. The main issues are:-
 - The effect of the proposed dwelling on the character and appearance of the area. I will have particular regard to whether the proposal would preserve or enhance the character or appearance of the Exbourne Conservation Area (CA) as the boundary cuts through the site; and
 - The effect of the proposal upon living conditions of the occupiers of neighbouring properties, with particular reference to its scale, form and distance from 3 The Tumbles, Hayfield House and Wheelwright Cottage.
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Reasons

Character and appearance

5. The appeal site currently forms part of the rear garden of Hayfield House which is a large traditional cottage. A detached 2 storey dwelling is proposed which would be close to the lane known as The Tumbles. The Tumbles is a narrow lane with a rural feel, leading off of Hayfield Road which includes a number of other residential properties.
6. The buildings within the core of the village in the CA generally have a more traditional appearance than those to the north of the site although there is still a range of styles. Most of the dwellings have a conventional general form with windows and doors within the main elevations facing towards the street and chimneys, where included, on the ridges of the roofs next to their side elevations. I had a general sense that the core of the village is tighter knit than the area north of the appeal site with the existing garden of Hayfield House being the first part of this feathering of the edge of the village. This space provided by the undeveloped site does not look out of place and compliments the rural character of this part of the settlement. The opposite side of the lane is more enclosed by the garage near the junction and other buildings.
7. The dwelling at No 3 The Tumbles is set at a much lower level and directly north of the appeal site and its roof only is visible from Hayfield Road at the junction with The Tumbles. The side of this dwelling is towards the lane as are some other side elevations of dwellings on the opposite side of the lane. From Hayfield Road, the lane forms a gap alongside Hayfield House and the existing double garage on the opposite side of the lane. The proposed dwelling would be seen through this gap, filling part of it. This elevation would include an unusual arrangement. A central chimney is more conventionally a feature associated with side elevations, as is the case with Hayfield House itself. However in this case the chimney is proposed between ground floor and first floor windows on a prominent elevation facing towards Hayfield Road. This would be an unusual arrangement within the CA as seen from Hayfield Road. The building would also result in significant a loss of space when seen from that direction. This would be harmful to the rural character of the village.
8. The elevation facing The Tumbles would include no windows at first floor level with a large expanse of blank wall being prominent from that direction. This elevation facing The Tumbles would have a brutal, unwelcoming appearance. It would tightly enclose this side of the lane which would reduce the existing rural feel. I consider that this would be harmful to the street-scene along The Tumbles even though there is some variety in positions of existing dwellings relative to the lane.
9. There is a robust hedge along the rear garden boundary of No 3. This as well as the distance that the proposed dwelling would be off of the boundary would reduce the visual impact of the proposal from that direction. The elevation facing towards Wheelwrights Cottage would also look unconventional due to the lack of fenestration at first floor level but the space to the boundary would help to reduce the visual impact from that direction. The other recent approval of a dwelling further along Tumbles Lane to the north of the site does not make this development any more acceptable. I have considered the proposal on its own merits.

10. In relation to the first main issue, the proposed dwelling would have a harmful impact upon the character and appearance of the area. This would not therefore preserve the character or appearance of the CA. This would not comply with Policies SP1 and SP20 of the West Devon Core Strategy¹. In terms of the harm to the CA, it would be limited and less than substantial harm to the significance of the designated heritage asset as defined with the National Planning Policy Framework (the Framework).

Living conditions

11. As I have described above, the proposed dwellings would be offset from the boundaries with No 3 The Tumbles and Wheelwrights Cottage which would help to limit the impact upon those adjoining occupiers. The position of the proposed dwelling would be closer to the garden of Hayfield House. However, the rear elevation would be approximately in line with the end elevation of Hayfield House. The end of the proposed dwelling would not loom over the remaining rear garden of Hayfield House and would not overly enclose that adjoining area. The inclusion of a hipped roof would also assist in retaining space at roof level. I do not consider that the proposal would have an overbearing impact on any of these or other adjoining properties.
12. In relation to the second main issue, the proposal would have an acceptable impact upon living conditions of the occupiers of neighbouring properties. In this respect the proposal would comply with Policy H28 of The West Devon Local Plan².

Other Matters

13. The Framework seeks to boost significantly the supply of housing. In this respect the proposal would have a small but positive impact. My conclusion on the second main issue is a neutral factor neither weighing in favour or against the proposal.
14. I do not consider that the small amount of positive weight in favour of the proposal would be sufficient to provide public benefits to outweigh the less than substantial harm to the significance of the CA. The harm would significantly and demonstrably outweigh the small amount of benefit to the housing supply of the area. As such, the proposal would not be a sustainable form of development as defined within the Framework.

Conclusion

15. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR

¹ West Devon Borough Council, Local Development Framework Core Strategy Development Plan Document (2006 - 2026), adopted April 2011.

² West Devon Borough Local Plan Review, adopted March 2005.