

Appeal Decision

Site visit made on 6 March 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 15 March 2017

Appeal Ref: APP/U1105/D/16/3167432

3 Manleys Lane, Dunkeswell, Honiton EX14 4XQ

- 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 Simon Fleet against the decision of East Devon District Council.
 - The application, Ref. 16/1956/FUL, dated 31 August 2016, was refused by notice dated 15 November 2016.
 - The development proposed is a rear extension and improvement.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Dunkeswell Conservation Area.

Reasons

3. The Design and Access Statement explains the rationale behind the appeal scheme. Essentially this is that the proposal would address the parking difficulties and hazards of the vehicular access to the property, whilst at the same time improving its accommodation and living conditions.
 4. I acknowledge the benefits of the proposal and these are matters that have to be weighed against the Council's reasons for refusal. However, I need in particular to evaluate whether the requirements for the combination of garaging, parking and turning on the one hand and additional living accommodation on the other have been given a priority that to all intents and purposes excludes consideration of the constraints of the original building and its site on the potential for further development.
 5. As the officer's report explains, these constraints originally influenced key inputs to the design and layout of Nos. 1, 2 & 3 such as the density of the development, the principal elevation facing the road, and other than the garages the proximity of the built form to the road. The steep slope of the land towards Manleys Road would have been a factor in the choices made, but so would have been an objective to create a linear development broadly in keeping with the older dwellings on the opposite side of the main road.
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6. The Council has indicated that the depth of the buildings was the only failing in the original concept, but that following the subsequent designation of the conservation area almost a decade later there remains a need for new development to safeguard the positive contribution the houses make to the character and appearance of this part of the village.
7. In this regard I consider that an extension at a right angle to the main dwelling over 13 metres in depth, much of it at two-storey height, would be too large and bulky. The perpendicular arrangement and elongated form would mean that the addition would visually compete with the host building rather than result in a level of subservience that would ensure its satisfactory integration. The development may well be visible in some views from Manleys Lane and with the demolition of the existing garage almost certainly from the main road.
8. I additionally have reservations on its detailed design, with the smaller element closest to the house somewhat incongruous and the integrated garages out of keeping with the more traditional and rural character sought in the original development. Because of its large scale the extension would be insufficiently subservient to the host dwelling despite the varied ridge line and lower eaves, and together with the use of more of the garden for the extended access there would be a perception of too much development on a site already constrained by its land levels.
9. The grounds of appeal refer to the Conservation Area Management Plan, which seeks to restrict the footprint depth for two storey buildings to 5m, but despite the claim in the grounds of appeal, I cannot see why this applies in this case to negate the effect of a perpendicular extension to the host dwelling. As the officer's report clearly states, when seen from the side or the rear the proposed extension would appear an unduly dominant structure in relation to the host dwelling. I have noted the reference to similar schemes in the village, but these do not alter what I consider to be the inherent weaknesses of this development in this particular context.
10. The Council has followed Government policy on heritage assets in Section 12 of the National Planning Policy Framework 2012 ('the Framework'). In this regard, the harm to the significance of the conservation area as a designated heritage asset in this case would be 'less than substantial', but this does not mean that the refusal of permission is not justified because of the harm caused. I also agree with the officer's report that there are little or no public benefits from the enlargement of the house in this instance to be weighed in the balance.
11. I have taken all the other matters raised by the appellant into account but nonetheless conclude that the character and appearance of the conservation area would not be preserved and that this would conflict with Policies D1 & E10 of the East Devon Local Plan 2013-2031 adopted 2016 and with Section 12 of the Framework.
12. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR