



Appeal Decision

Site visit made on 8 November 2017

by **C J Ball** DArch DCons RIBA IHBC

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

Decision date: 17 November 2017

Appeal Ref: APP/U1105/D/17/3180169

Land adjacent Northcombe Farm, Salcombe Regis, Sidmouth EX10 0JQ

- 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 & Mrs C J Eccles against the decision of East Devon District Council.
 - The application Ref 17/0727/FUL, dated 23 March 2017, was refused by notice dated 15 June 2017.
 - The development proposed is a new detached garage and rebuilt storage shed; new site entrance with existing site entrance to be blocked by new boundary wall.
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Decision

1. The appeal is allowed and planning permission is granted for a new detached garage and rebuilt storage shed and a new site entrance with existing site entrance to be blocked by new boundary wall on land adjacent Northcombe Farm, Salcombe Regis, Sidmouth EX10 0JQ in accordance with the terms of the application, Ref 17/0727/FUL, dated 23 March 2017, subject to the conditions set out in the attached schedule.

Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The site lies within the hamlet of Salcombe Regis, which is at the head of a deep coastal valley. The hamlet is in the East Devon Area of Outstanding Natural Beauty (AONB), the Coastal Preservation Area and the Heritage Coast. The site lies just across the road from, and within the setting of, Northcombe Farm and the neighbouring Old School House, both grade II listed. The site also lies within the Salcombe Regis Conservation Area. National policy gives great weight to conserving landscape and scenic beauty and to conserving and enhancing the historic environment. The site is therefore in a very sensitive location.
4. The site, off Dunscombe Lane, is a rather untidy area of land currently used for informal parking and storage for Northcombe Farm, now a dwelling. The site is screened to the south and east by mature woodland and to the west by Greystones, a 2-storey dwelling. Described in 1984 as 'a farm yard with derelict buildings and vehicles', the site is cut into the hillside with partly made-up ground. It also gives access to a small area of former farmland beyond in the appellants' ownership.

5. The Council acknowledges that all agricultural activity has ceased. A former building on the site was demolished some time ago. A wide, roughly formed access opens off the steep lane, close to a bend. A roadside storage building against the stone boundary/retaining wall is in a derelict condition and an overgrown self-seeded tree within it has badly damaged the wall. I do not consider that the site can now be fairly described as undeveloped agricultural land. In my view the site currently makes a negative contribution to the character of the conservation area and to the setting of the listed buildings, and adds little to the quality of the local landscape.
6. The new garage would be sited towards the rear of the site, against a bank. It would be approximately in the position of the demolished building. The new shed, of similar size, would replace the existing shed. The damaging tree would be removed and the wall repaired. The existing opening on the boundary would be built up to match the stone wall, partly screening the garage. A new opening would be formed lower down the lane, where the wall is a mix of stone and concrete block. A new paved driveway would be cut into the site.
7. The new buildings would be of traditional timber framed and boarded construction, appropriate for outbuildings and compatible with other vernacular buildings in the conservation area. The works to the boundary wall, a prominent feature of the conservation area, would substantially improve its appearance. I consider that the proposal would make a positive contribution to local character and distinctiveness, conserving and enhancing the setting of the listed buildings and the character and appearance of the conservation area.
8. The works would formalise the established use of the land for parking and give this unkempt area a more domestic appearance. However, it lies essentially within the built-up area of the hamlet, on previously developed land, where this would not be out of place. In my view, the low-key development of the site for purposes ancillary to Northcombe Farm would not significantly affect the settlement pattern of the hamlet or disrupt important features which contribute to the local landscape character. There would be no significant visual intrusion into an important public view so that, altogether, the proposal would not harm the distinctive landscape, amenity and environmental qualities within which it is located, consistent with the objectives of strategy 7 of the East Devon Local Plan.
9. Similarly, there are no views to and from the sea in the neighbourhood of this enclosed site so that the proposal would not damage the visually open status of the designated Coastal Preservation Area and Heritage Coast. Minor development within the AONB is not precluded provided it is carried out in a sympathetic manner, intended to help conserve and enhance the quality and local distinctiveness of the natural and historic landscape character of East Devon. I consider that this proposal represents very minor development on a site which contributes little to the quality of the AONB. As an old rural hamlet, Salcombe Regis contributes much to the scenic beauty of the area. Through improvements to the historic environment of the hamlet, the proposal would enhance the landscape character and scenic beauty of the area, it would not undermine landscape quality and it would be appropriate to the economic, social and well-being of the area. The proposals would therefore comply with Local Plan strategy 44 and meet the criteria of strategy 46 for minor development in the AONB.

10. Giving great weight both to the conservation of landscape and scenic beauty and to the conservation and enhancement of the historic environment, I find that the proposed development would have no significantly harmful effect on the character and appearance of the local area. It should therefore be granted planning permission, subject to appropriate conditions.
11. In its questionnaire the Council indicates that, apart from the standard time condition and compliance with plans, no other conditions are necessary. This is a very sensitive area where the quality of development is important. I note in the officer's report that protection for retained trees on the southern side of the site would be considered necessary, together with a landscaping scheme to offset the loss of the tree, currently damaging the wall, and the impact of new buildings; that the materials used in the external finish of the buildings would need to be further considered; and that it would be critical that the repairs and new work to the boundary wall should match the existing wall. I agree and, in the particular circumstances of this case, I consider conditions to secure these aims to be reasonable and necessary in order to ensure a high quality development.
12. With that in mind, for the reasons given above I conclude that the appeal should be allowed.

Colin Ball

Inspector

SCHEDULE OF CONDITIONS

Planning permission is granted for a new detached garage and rebuilt storage shed and a new site entrance with existing site entrance to be blocked by new boundary wall on land adjacent Northcombe Farm, Salcombe Regis, Sidmouth EX10 0JQ in accordance with the terms of the application, Ref 17/0727/FUL, dated 23 March 2017, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; 1233/01; 1233/02A; 1233/04; 1233/05.
- 3) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of the occupation of the buildings for their permitted use, other than in accordance with the approved plans, without the prior written approval of the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars. If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified in writing by the local planning authority.
- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include details of tree and shrub planting, hard and soft landscaping, boundaries, gates and fences. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 6) The repairs to the existing stone boundary wall, and additional new walling, including driveway walls, shall match in every respect the stone, colour, profile, coursing, mortar jointing and finish of the existing wall.