



Appeal Decision

Site visit made on 3 January 2019

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2019

Appeal Ref: APP/X1118/W/18/3204671

Venn House, Road Past Venn House, Instow, Bideford EX39 4LZ

- 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 Martin Smith against the decision of North Devon District Council.
 - The application Ref 64817, dated 11 April 2018, was refused by notice dated 6 June 2018.
 - The development proposed is a new dwelling with curtilage including access and services.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr & Mrs Martin Smith against North Devon District Council. This application is the subject of a separate decision.

Main issue

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

Procedural matter

4. Since the Council issued its decision the North Devon and Torridge Local Plan 2011-2031 (the LP) has been adopted and I have determined the appeal having regard to the current adopted policies.

Reasons

Character and appearance

5. The appeal site sits within a cluster of residential properties and a primary school located around Rectory Lane. Four houses face the B3233 and are accessed from a lane which runs parallel to the main road, linking to a layby. Venn House is the most westerly of these properties and the appeal site is located in the western portion of the garden.
6. The four properties are detached dwellings with a good degree of separation between each. There is a gentle slope to the lane and on the adjoining land with Marsden and Venn Tor at a lower level. Astral House and Venn House sit at a higher level and have a similar ground floor level to each other. The ridge heights of each house steps up with the rise in the land; there is a fairly significant step between Venn Tor and Astral House with a more modest

change between the latter and Venn House; this broadly reflects the relative changes in the land and ground floor levels.

7. There is some variety in the positioning of these dwellings, however this has a relationship with the slight curve in the lane and, when account is taken of the wide verge to the front of Marsden and Venn Tor, the degree of setback from the lane is broadly similar for each dwelling. Each house is also set at a slightly off-set angle to its neighbour which has introduced a degree of variety to the building line. There is a variation in the design and roof forms of these properties but each are two storeys in height with the form of the buildings and fenestration giving a horizontal emphasis to their appearance.
8. Overall, while each of these four dwellings is individual in its design, there are a number of characteristics in terms of the form, height, and positioning of the dwellings which have created some consistency. This is an important characteristic of the immediate area
9. The appeal dwelling would be three storeys in height with a garage and some accommodation at ground floor level. In itself, the step in ridge height between it and Venn House would not be dissimilar to elsewhere in this run of houses. However, the ground floor level of the appeal dwelling would be lower than Venn House and the overall height of the building would be in stark contrast to the neighbouring properties. It would have a more vertical emphasis and appear monolithic compared to its neighbours. The use of a half-hip roof form would not sufficiently reduce the bulk of the building.
10. The positioning of the dwelling would appear much further back from the lane than the neighbouring properties. This would erode the broad consistency in the siting of the buildings. There would also be a considerable variety in the positioning, size and shape of the fenestration on the front elevation of the dwelling. This would not relate well to the otherwise simple form of the building with its rectangular footprint and flat front elevation. It would not create a visually attractive building. Overall the development would result in significant harm to the character and appearance of the area.
11. The National Planning Policy Framework (the Framework) seeks to allow for appropriate innovation and change, however this must be balanced against its aims that development is sympathetic to local character including the surrounding built environment. There is nothing particularly innovative in the proposed design approach and, for the reasons set out above, the change from the established characteristics of the area would be harmful. As such, when considered in the round, the development would not accord with the Framework.
12. I have taken account of the design rationale presented by the appellants including the decision to set the dwelling back to allow for the parking and turning layout and in respect of the relationship with the side windows in Venn House. However, these matters do not override other design considerations and I am not convinced that the proposed scheme is the only acceptable means of providing adequate parking, turning, and an appropriate relationship with the neighbouring house. I have noted the reference to the Park Hotel, however the context of that building is not comparable to the appeal site and so this does not convince me that the appeal scheme is acceptable.

13. I therefore conclude that the development would result in harm to the character and appearance of the area. It would not accord with the clear expectations of Policy DM04 of the LP which seeks good design ensuring development is appropriate and sympathetic to its setting and reinforces the key characteristics and special qualities of the area including in respect of height, layout appearance, and fenestration.

Other matters

14. The Council has not raised any concerns in respect of the principle of the development nor were there any objections from consultees, but this would not mitigate or outweigh the harm that would arise. I have noted the appellants' concerns as to the value of the pre-application process and matters relating to the processing of the application and the provision of feedback on the scheme. However such matters are not pivotal to the main planning considerations of the proposal.

Conclusion

15. The provision of a dwelling would result in social and economic benefits however this would not outweigh the harm identified. The development would not accord with the development plan when it is considered as a whole. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

K Taylor

INSPECTOR