



Appeal Decision

Site visit made on 16 July 2019

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019.

Appeal Ref: APP/W1145/W/19/3228728

Land at OS Grid Ref SS 4906 1929, Louise Terrace, Torrington EX38 8DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr. Hills against the decision of Torridge District Council.
 - The application Ref 1/0958/2018/OUT, dated 30 August 2018, was refused by notice dated 15 November 2018.
 - The development proposed is a residential housing scheme (2 No bungalows), pedestrian access only – low cost housing suitable for young people or senior citizens.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was originally submitted by the appellant for outline planning permission with all matters reserved. But the Council then requested that details of design, layout and access be submitted for consideration by invoking Article 5 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This information was submitted and was determined on that basis by the Council. I have therefore determined the application on the same information.

Main Issue

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

Reasons

4. The appeal site comprises a rectangular parcel of land facing onto Louise Terrace, a narrow residential street that is accessed off New Street. The site is currently overgrown and vacant. The frontage is partially enclosed by a low-level stone wall and a post and wire fence.
5. A continuous terrace of two storey dwellings lines the street opposite the appeal site. There is a high degree of consistency in terms of design detail along the terrace with each dwelling having the same arrangement of windows and door openings. Windows have the same sill and head profile throughout, while a continuous masonry course on the lower part of each dwelling's front elevation where it meets the pedestrian footway defines the front edge of the dwellings. Roofs are characterised by brick chimney stacks and traditional roof

slates, while walls are finished in a mix of light and pastel coloured renders. A small number of modest roof dormers occasionally break the continuous roof line of the terrace.

6. Apart from the obvious height difference with the terrace opposite, the proposed bungalows would have an elongated front elevation facing the street in marked contrast to the narrow frontages of the dwellings in the terrace. This would result in a scale and massing that would be out of kilter with the existing terrace of dwellings, and consequently having a discordant physical relationship in the street. Moreover, the proposed bungalows would be bland in terms of their appearance and would not incorporate or have regard to any of the distinctive design features that are present in the terrace. Whilst the appellant indicates that their design has been kept simple to reduce building costs and be priced towards people on a lower income, this does not justify a weakening of the overall design of a scheme or failure to respond to the architectural themes in the immediate area. I find therefore that the proposal responds unsympathetically to the context of the area and would appear incongruous in doing so.
7. The appeal site's inaccessibility to service and delivery vehicles has been raised as a feature of its poor design. I note the narrow width of the street and that access by these vehicles could be restricted depending on their scale. I also saw no area in the street for vehicles to turn and leave Louise Terrace in a forward gear. Although there are obvious limitations when it comes to access for delivery and service vehicles, I do not find this a significantly harmful aspect of the scheme's design and consider that alternative arrangements could be made by future residents prior to goods being delivered and likewise for service vehicles. Furthermore, the Council's technical highways advisers raised no impact in relation to this issue.
8. I conclude that on the matter of the proposal's design in relation to accessibility to delivery and service vehicles, that the proposal complies with the design and access provisions of Policy DM04 of the North Devon and Torridge Local Plan 2011-2031 (Adopted October 2018) ("the NDTLP"). However, the proposal would be contrary to Policies ST04 and DM04 of the NDTLP, which relate to improving the quality of development and incorporating design principles. In particular, the proposal would fail to reinforce the key characteristics and special qualities of the area in which the development is proposed.

Other Matters

9. I am drawn to the appeal site's close proximity to local shops and the adequacy of local bus services. These benefits are not disputed; however, they do not overcome the concerns I have found and the conflict with the development plan. The appellant also considers that the appeal proposal accords with density standards, as laid out in Policy DVT1 of Torridge District Local Plan. I have not been presented with a copy of this policy, nevertheless the Council confirms that this plan is no longer the adopted development plan for the area and as such I have not given it any weight. I have also given no weight to the compliance of the proposal with Building Regulations, as this is a separate form of consent. These other matters do not, therefore, lead me to a different decision.

Conclusion

10. I have found that the proposed development's design as it relates to accessibility for service and delivery vehicles, would not have a harmful impact on the character and appearance of the area. However, this is outweighed by the detrimental impact it would have in terms of its poor design, scale and lack of detailing and the resultant harm it would have on the character and appearance of the area. For the reasons given, I conclude that the appeal should be dismissed.

R. E. Jones

INSPECTOR