The Planning Inspectorate

Appeal Decision

Site visit made on 20 August 2019

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2019

Appeal Ref: APP/W1145/D/19/3233930
30 Highfield, Northam, Devon EX39 1BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs G Loft against the decision of Torridge District Council.
- The application Ref 1/0267/2019/FUL, dated 26 March 2019, was refused by notice dated 20 May 2019.
- The development proposed is the construction of a two storey side extension.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 30 Highfield, Northam, Devon EX39 1BB in accordance with the terms of the application Ref 1/0267/2019/FUL, dated 26 March 2019, subject to the conditions below.

Main issue

2. The main issue is the effect of the proposal on local character and appearance.

Reasons

3. No 30 is an understated detached bungalow, mid-twentieth century in origin with subsequent alterations. Properties nearby tend to date from that era, to be of a similar typology, and to be set within comparably-proportioned plots at a relatively low density. No 30 occupies a corner plot of Highfield, which also encircles Nos 25 to 34. The topography declines from Bay View Road to the south, through Highfield towards the B3236 and coast beyond (broadly northwards).

4. Properties accessed from, but to the north of, Highfield are significantly set down in the landform (including No 9 opposite). The level change is such that although the ridgeline of the proposed extension would be fractionally lower than that of the existing dwelling, the extension would comprise two storeys of internal accommodation.[1] The area therefore has a broadly consistent layout and open feel. There are glimpsed views of the coastline, notwithstanding that gardens often feature well-established planting.

5. In summary, and amongst other things, policies DM04 and DM25 of the North Devon and Torridge District Local Plan (adopted 29 October 2019, the 'LP') set out how development should be designed so as to integrate appropriately with its surroundings, including in relation to the form, scale and design of extensions. Those aims are shared with relevant provisions of the National

[1] Plan 1206/01 indicates a change in ground level across the plot of No 30 of slightly less than a metre, or so.

Planning Policy Framework ('NPPF') and Planning Practice Guidance ('PPG'),[2] albeit that there should be some room for due flexibility and innovation.

6. The proposal is for a two storey side extension, in part building upon the footprint of a single storey extension but also projecting northwards beyond it. The scale, proportions, and materials proposed are intended to tie in with those features of No 30. The scheme would entail a modest dormer facing eastwards, rooflights facing westwards, and a Juliette balcony facing northwards. The proposal would inevitably add to the bulk of the property. It would also result in a rather intricate, asymmetric design that would be visible from various surrounding public and private vantage points.

7. However the ridgeline proposed would be fractionally lower than that of the existing property, with the roof form and materials intended to match those at No 30. Moreover in respect of size and floorspace in both absolute and relative terms to the existing property, the proposal would be modest. The scheme would respect the building line of No 31 adjacent, thereby maintaining a reasonable degree of separation to the pavement. The ratio of the footprint of No 30, as extended, to its plot would not be noticeably out of keeping with the prevailing relationship in that respect. The visual prominence of the scheme would also be mitigated by the presence of a substantial evergreen hedge bounding the plot of No 30, which would likely be maintained for privacy and aesthetics.

8. There are certain consistent characteristics to the built environment here. Nonetheless there are significant variations between properties, both originally and as altered. From certain vantage points No 30 is visible in conjunction with semi-detached properties, terraced properties, and there are also more recent additions to the street scene (some of which incorporate balconies).[3] Whilst bungalows predominate there are also chalet-bungalows, two-storey and three-storey properties nearby.[4] A significant number of houses have also been altered or extended in varying ways over time resulting in a lively architectural variety rather than uniformity.[5] As an aside, I also note that the area is not formally protected on account of its architectural character, nor are mid-twentieth century properties of similar design a rarity.

9. For the above reasons, given the various factors that would limit the effect of the proposal in relation to the existing property and immediate neighbours, and given the mixed context to the appeal site, in my view the proposal would integrate appropriately with its surroundings in accordance with the relevant provisions of LP policies DM04 and DM25 and of NPPF paragraphs 127 and 130.

Other matters

10. I have taken account of all the representations made in respect of the scheme, including by the occupants of Nos 28 and 29 Highfield.[6] I acknowledge that the development proposed would result in some change, and that minor alterations may be perceived as significant. I have set out above how the proposal would

[2] Including at paragraphs 127 and 130 of the former and Reference ID: 26-007-20140306 of the latter.
[3] Nos 3, 4, 6 and 6a Highfield, Nos 30 to 48 Bay View Road (albeit at some distance), Nos 40 to 47 respectively.
[4] Variously Nos 2, 7, 8, 41, 44, 45 and 47.
[5] Including readily-apparent side or front extensions to Nos 1, 21 and 25 and front-facing dormer windows of comparable scale and design at the property named Arden.
[6] The latter advanced at appeal.

add to the bulk of the property. Construction would also entail some noise, vehicle movements and potential for disturbance.

11. However, to some extent following my reasoning above, the development proposed would not be incongruous. The extension would be a relatively modest addition, in part building upon a ground floor extension, projecting principally northwards (rather than towards other neighbouring properties). The spacing between properties and topography is such that the proposal would have a very limited effect on outlook; I noted that in terms of expansive coastal views, the roof of No 9 Highfield is already a visual impediment when looking northwards from the pavement by Nos 28 and 29.

12. Given the location of the extension, the relatively low-density nature of the area, and the sun's path through the sky, the scheme would have very little, if any, effect on the level of natural light or sunlight reaching surrounding properties or their plots. The rooflights facing westwards would be angled within the pitch of the roof, face towards a roof slope of No 31 without openings, and are intended to serve a staircase rather than habitable room. Otherwise the new windows and Juliette balcony proposed would face towards the boundaries of the property such that there would be an appropriate degree of separation (in absolute terms and visually by virtue of intervening features).

13. Any implications of construction would be temporary. Provision exists elsewhere, whether formally or informally, to address unacceptable disruption were that to arise.[7] Whether or not planning permission is capable of being implemented with regard to the provisions of any applicable covenants is a separate private legal matter, whereas planning focusses on the public interest. Any effects resulting from the proposal to the living conditions of those nearby would therefore not be unacceptable. Although arrived at independently, the effect of the scheme on the living conditions of those nearby is not part of the Council's case at appeal. No other matters are therefore of such significance so as to alter my finding regarding the acceptability of the proposal.

Conclusion

14. For the above reasons, having considered the development plan as a whole, the approach in the NPPF and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Conditions

15. In addition to the requirement that development be commenced within the relevant statutory period, I have imposed conditions requiring that the associated plans are complied with and that the materials to be used match those of the existing building. Those conditions are necessary to ensure that the development is undertaken as assessed above, and by consequence integrates appropriately with its surroundings.

Thomas Bristow

INSPECTOR

[7] Including via the provisions of the Environmental Protection Act 1990 as amended.

SCHEDULE OF CONDITIONS

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with approved plans 1206/02A and 1206/03A and the block plan entitled 'MapView'.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.