
Appeal Decision

Site visit made on 8 October 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/P1133/W/19/3234533

7 Hosegood Way, Kingsteignton, Newton Abbot, Devon, TQ12 3EP

- 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 Shaun Bartlett against the decision of Teignbridge District Council.
 - The application Ref 19/00425/FUL, dated 27 February 2019, was refused by notice dated 3 May 2019.
 - The development proposed is described as 'new dwelling to side of 7 Hosegood Way Kingsteignton Re application of Refusal Notice 18/00184/FUL 4th April 2018'.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at 7 Hosegood Way, Kingsteignton, Newton Abbot, Devon, TQ12 3EP in accordance with the terms of the application, Ref 19/00425/FUL, dated 27 February 2019, subject to the conditions set out in the schedule to this decision notice.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, the appeal form includes different wording which reflects the description in the Council's decision notice. I have therefore used this revised description as it better captures the development's scope.

Main Issue

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

Reasons

4. The appeal site contains a detached bungalow set within a verdant and reasonably spacious plot. With a residential character, the surrounding area contains a mixture of detached and semi-detached bungalows and some terraced properties. Although the bungalows are generally set within relatively large plots, plot size and spacing varies between surrounding built form.
5. Amongst other aspects, the appeal proposal would involve the erection of a new bungalow, sub-division of the existing garden area of 7 Hosegood Way, and a new vehicular entrance. Attached to No 7, the development would create a semi-detached bungalow with a similar appearance to the host building. The result would be a building akin to the semi-detached bungalow opposite the

site on Hosegood Way. On my site visit, I also observed several other semi-detached bungalows nearby, including 3-5 Hosegood Way and others near the junction between Hosegood Way and Broadway Avenue.

6. The plot sizes for the new dwelling and the host property would be relatively small in relation to some surrounding sites, particularly on Greenbank Avenue. However, while its depth would be limited, its width would not be significantly narrower or more confined in comparison to some nearby plots. Although somewhat tighter, spacing to adjoining built form would also not be significantly less than some other properties in the locality. Furthermore, the set-back of the development and its garden, covering approximately 100 square meters, would help to maintain the area's sense of spaciousness.
7. Accordingly, the character, siting and layout of the development would not appear inconsistent nor particularly cramped, confined or constrained in relation to its surroundings. With a similar appearance to No 7 and other surrounding bungalows, the development would also reflect the generally uniform appearance of the locality.
8. I recognise that a previous appeal (Ref APP/P1133/W/18/3201549) for a new dwelling at the site was dismissed. However, the evidence before me indicates that that scheme was for a bungalow in close proximity to No 7 but detached from it. That scheme and this development are therefore not directly comparable. Accordingly, I have determined this appeal proposal on its own merits and on the evidence before me.
9. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area. I therefore find that it accords with Policies S1A, S1 and S2 of the Teignbridge Local Plan 2013-2033. Amongst other aspects, these: set out that proposals which accord with the development plan will be approved unless material considerations indicate otherwise; and require new development to be of a high quality design which responds to the characteristics of the site and its context, maintains the character and appearance of the street scene and makes effective use of the site. The proposal would also be consistent with the provisions in the National Planning Policy Framework (Framework) in relation to achieving well-designed places and the design guidance in the Planning Practice Guidance (PPG).

Conditions

10. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the PPG. I have made such amendments as necessary to comply with those documents and to ensure that details are submitted to and considered by the Council where relevant.
11. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. Irrespective of the Council not referring to a landscaping condition previously and despite the site's relatively small garden area, a condition requiring a landscaping scheme to be submitted to and approved in writing by the Council is necessary in this instance in order to preserve the character and appearance of the area.
12. A condition removing permitted development rights under Classes A-F of Part 1, Class C of Part 2 and Classes B and H Of Part 14 of Schedule 2 of the Town

and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is necessary in order to protect the character and appearance of the area and the living conditions of adjoining occupiers. This condition, which the PPG indicates should only be used in exceptional circumstances, is necessary and reasonable in this instance because of the site's visibility from the public realm, its constrained nature and its proximity to adjoining plots. However, I have not included the removal of permitted development rights under Class G of Part 1, Class A of Part 2 or Class A of Part 14 because such development allowed under these classes is not uncommon in built-up areas such as this. Accordingly, any such works under these classes would be unlikely to appear to be inappropriate or out of place.

13. I have not imposed a condition requiring the submission of details of external materials because the plans already provide this detail, including that the materials would match No 7. Such a condition is therefore not necessary.

Conclusion

14. For the above reasons, the appeal is allowed.

Tobias Gethin

INSPECTOR

SCHEDULE OF 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: 2018/11/01A and 2018/11/02A.
- 3) No occupation of the development hereby permitted shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include planting plans, written specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, and an implementation and management plan. The landscaping shall be carried out in accordance with the approved details and the implementation plan, and thereafter maintained in accordance with the management plan for a minimum period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A-F of Part 1, Class C of Part 2 and Classes B and H of Part 14, Schedule 2 shall be constructed other than those expressly authorised by this permission without planning permission having first been granted on an application made for these purposes.