
Appeal Decision

Site visit made on 24 September 2019

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 5th November 2019.

Appeal Ref: APP/P1133/W/19/3231957

Springwell View, Old Ide Lane, Exeter, Devon EX2 9RY

- 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 Arron Pearce against the decision of Teignbridge District Council.
 - The application Ref 19/00039/FUL, dated 4 February 2019, was refused by notice dated 22 March 2019.
 - The development proposed is described on the planning application form as 'Erection of garage and retention of hardstanding'.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Arron Pearce against Teignbridge District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered, which is the description that appears on the Council's decision notice. The Council has changed the description to refer to a change of use of land, however neither of the main parties has provided written confirmation that a revised description of development has been agreed. Furthermore, the original application does not clearly indicate that a change of use is proposed. Accordingly, I have used the description given on the original application form and have dealt with the appeal on that basis.
4. During my site visit I observed that a hardstanding had been constructed. It appeared to be larger than what is on the plans before me, which I note were amended during the application stage. As I cannot be certain that the hardstanding has been constructed in accordance with the proposed plans, I have considered the proposal as shown on the plans that are the subject of the appeal and not in regard to what I observed at my site visit.

Main Issue

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

Reasons

6. The C50 road past the appeal site is enclosed by mature trees on both sides. South of the road the trees are on top of a bank and where there are views between the trees these are generally to fields beyond, with little development visible. The only substantial building seen along this stretch is a garden machinery merchants, which has the appearance of an agricultural building. On the northern side of the road, trees and hedges provide a visual barrier between the C50 and the A30 dual carriageway. As a result, this part of the C50 has an enclosed, verdant and rural feel and is distinctly different in character to the A30. Just before the village of Ide, the character of the road changes, with dwellings and other substantial buildings sited close to the road, and less vegetation.
7. The Ide Neighbourhood Plan 2016-2033 (2018) (the NP) sets out the significance of the main approaches to Ide village in helping identify where the village begins and ends and establishing its rural character and setting. The tree belt and bank between the appeal site and the C50 are part of an area designated in the NP as the Ide Gateway Enhancement Area (IGEA). This extends to the junction with the A30 to the east, and encompasses the approach to the village from the west. The objective of the IGEA is to protect and enhance the gateway to Ide in order to maintain its rural identity.
8. The existing dwelling on the appeal site is set back from the road on higher ground and is only glimpsed along its driveway when passing the site. As such, the residential nature of the site is not currently obvious from public vantage points. The proposed garage would be sited much closer to the road than the existing dwelling. Arranged gable end towards the road, its height, materials and position close to the top of the bank would make it a conspicuous and dominant feature when seen from the road. Furthermore, the use of render would result in an obviously domestic appearance which would be incongruous in this part of the road which is largely devoid of residential structures. Although it would be just outside the designated IGEA, it would be clearly visible from the C50 between the trees and would therefore affect the character of the IGEA. Consequently, the proposed garage would detract from the relatively undeveloped and rural character of the approach to the village.
9. While the trees and scrubby vegetation on the bank would provide some screening, it would be substantially reduced when they are not in leaf. The appellant suggests further planting, including evergreens, would provide adequate screening. There would be little space to provide additional landscaping between the proposed garage and the trees and in any case, there is no such scheme before me to consider. As such, I am not convinced that it would be possible to achieve sufficient planting to adequately screen the proposed garage. There is therefore insufficient information to demonstrate that the harm I have identified could be adequately mitigated by a suitably worded planning condition.
10. Accordingly, the proposed garage would significantly harm the character and appearance of the area. While it would not result in any of the four impacts listed in policy IDE07 of the NP, it would conflict with the overarching aim of that policy to safeguard the rural character of the IGEA. Furthermore, it would fail to achieve the requirement set out in paragraph 127 of the National

Planning Policy Framework (the Framework) to add to the overall quality of the area.

11. The appellant has drawn my attention to policy WE8 of the Teignbridge Local Plan 2013-2033 (2014) (TLP) which relates to domestic extensions, ancillary domestic curtilage buildings and boundary treatments. This policy allows for domestic outbuildings provided that they meet certain criteria. The scale and design of the proposed garage would be appropriate to the existing dwelling, however it would have a dominant impact on the street scene. As such, it would also conflict with criterion c)iv) of policy WE8 of the TLP.
12. The proposed hardstanding would be relatively large and would add to the domestic appearance of the site. Given its position set back from the road and on higher land however, limited views of it would be possible from the public realm. As such it would not result in material harm to the character and appearance of the area. I therefore find no conflict with policy IDE07 of the NP in respect of this element of the proposed development.

Other Matters

13. The proposed garage would provide the appellant with storage and parking to meet their needs, however this is a private benefit. Furthermore, while the proposed hardstanding would provide more space for parking and turning within the appeal site, I have no evidence that there would be any harm to highway safety without it. As such these matters do not justify the harm identified.
14. I note the appellant's comments about the Council's conduct during the application process however this is not a matter for me to consider in this appeal.

Conclusion

15. While I have found that the proposed hardstanding would not result in material harm, the proposed garage would cause significant harm to the rural character and appearance of the area. As the proposed hardstanding is necessary to access the proposed garage, it is part of the same development and cannot be separated from it. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

L McKay

INSPECTOR