



Appeal Decision

Site visit made on 10 December 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/J9497/W/19/3237221

30 Grange Road, Yelverton PL20 6BJ

- 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 and Mrs Russell against the decision of Dartmoor National Park Authority.
 - The application Ref 0157/19, dated 26 September 2018, was refused by notice dated 4 June 2019.
 - The development proposed is the erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and,
 - whether or not the proposal would be required to provide affordable housing.

Reasons

Character and appearance

3. Grange Road is a sinuous residential street on steep land which slopes down south to north, within the settlement of Yelverton. Its houses appear fairly modern and are varietal in their appearance and orientation. However, they are also predominately large and detached. The topography has demanded some retaining walls, yet the street is defined by the largely sensitive placement of dwellings within softly landscaped grounds. Whilst the area has no formal designation and is in many respects a typical scene, it nonetheless captures a suburban character and appearance worthy of consideration.
4. No 30 Grange Road has grounds to its rear and its north side. It has a flat lawn at the rear but its garden becomes more terraced to the side, where it has had to accommodate a drop in land levels. However, its retaining walls are largely screened by shrubs and trees, which enable this part of the property to make a positive contribution to the street scene.
5. The proposal seeks a two-storey dwelling with an attached garage within this side garden. This would inevitably remove a degree of the site's established greenery. Given the topography, the dwelling would be set into the land at its side, with its garage at first-floor level. This stepped arrangement of having the garage and driveway elevated directly above the front entrance to the dwelling would appear contrived in my view.

6. Although the proposal would adhere to the two-storey building height within Grange Road, the dwelling and its plot would appear compact and noticeably smaller than the housing in the area. This would not be overcome by use of the finish materials prevalent in the area. It also seems to me that the proposal would require quite extensive regrading of the land. A retaining wall would project from the pavement into the site and effectively into the front elevation of the dwelling itself. This would be a strident feature which would detract from the overall soft and suburban appearance of the area.
7. Drawings my findings together, the loss of greenery, the severe, stepped siting of the property, the associated engineering of the land and the inherently small scale of the dwelling and its garden would lead the scheme to appear incongruous within the more holistically planned housing across Grange Road.
8. The appellants have suggested that I visit a nearby site. However, from that visit it was clear that the circumstances at the Leg O Mutton are substantively different to Grange Road, and any criticism of that scheme does not therefore serve to justify the development before me.
9. The proposal would therefore have an unacceptable effect on the character and appearance of the area. It would conflict with Policies COR1 and COR4 of the Dartmoor National Park Authority (DNP) Core Strategy (adopted 2008) (CS) and Policies DMD1b, DMD3 and DMD7 of the Development Management and Delivery Development Plan Document (adopted 2013) (DMD) insofar as they require schemes to provide design which would conserve the character of the DNP's settlements. I also find conflict with the design aims of the National Planning Policy Framework (the Framework). However, given the location of the infill plot within the settlement, I find no conflict with the environmental requirements of Policy COR3 of the CS or Policy DMD21 of the DMD.

Affordable Housing

10. The delivery of housing within the DNP is predicated upon the provision of affordable housing (AH) to meet local need. In Local Centres, including Yelverton, Policy DMD21 of the DMD states that in schemes for housing the proportion of AH to meet local need should not be less than 50%. However, it also states that this may be varied where a higher proportion of open market housing can be shown to be essential to secure the viability of development.
11. Whilst it may well be that there is an unmet AH need in this area, there is no requirement within Policy DMD21 for schemes to take such need into account when it would be unviable to do so. Policy DMD21 also makes no necessity for viability assessments to be corroborated and, to my mind, it relates to the viability of development, not the site itself.
12. The appellants have submitted a viability report which identifies that without any contribution to AH the scheme has borderline viability. The report goes into some detail, breaking down the costs of the scheme against a valuation for the dwelling. This document is uncontested by the Authority. Whilst I note the Authority's reason for this, the instruction of a third party is not a prerequisite to do so. Where it has been appraised by an interested party, this suggests that the costs may be greater, and the scheme even less able to provide AH.
13. Paragraph 57 of the Framework states that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the

circumstances in the case. As there is nothing before me to indicate that the veracity of the viability evidence's conclusion regarding AH should be disputed, I have no basis upon which to disagree with its findings.

14. I therefore conclude on this issue that the proposal would not be required to provide AH. It would accord with Policies COR2 and COR15 of the CS and DMD1a and DMD21 of the DMD insofar as, taken together, they require affordable housing to be provided unless viability shows otherwise.

Other Matters

15. The Authority and interested parties have referred to previous decisions at the site¹. These have not been provided to me and I am unable to draw meaningful parallels with them and the scheme. However, it appears from limited references to the previous appeal that its circumstances were materially different in terms of the quantum and location of the housing. These decisions have therefore had little influence in my reasoning.
16. The Framework identifies that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in these regards. As the site would be well within the settlement, it would not impact the DNP in relation to these matters.
17. The reasons for refusal refer to the English National Parks and the Broads UK Government Vision and Circular 2010, which provides that new housing should be focused on meeting AH requirements. This document does not form part of the development plan and predates national policy in any event.

Planning Balance

18. The proposal would contribute to the DNP's housing supply in a local centre with adequate access to services and public transport and cycling options. The services within Yelverton would see a boost to their vitality through increased use. Given the scale of the proposal, these are modest benefits in its favour.
19. The appellant has referenced a decision from 2017 in which it was found that a five-year supply of deliverable housing sites could not be demonstrated, and the presumption in favour of sustainable development was therefore engaged². Whilst the Authority has not disputed this evidence, it is of an age now that, to my mind, it cannot be held to robustly evidence the current situation. That being said, even if I were to accept the appellant's position, the effect on the character and appearance of the area is a harmful impact which would significantly and demonstrably outweigh the benefits of the proposal.

Conclusion

20. I therefore find that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, which outweigh this conflict. For the reasons outlined and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

¹ Including Appeal Ref APP/J9497/W/16/3165366

² APP/39497/W/17/3174261