



Appeal Decision

Site visit made on 1 June 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/W1145/W/20/3244122

Hubbastone Road, Appledore, Bideford EX39 1QH

- 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 John Craner against the decision of Torridge District Council.
 - The application Ref 1/0202/2019/OUT, dated 6 March 2019, was refused by notice dated 5 July 2019.
 - The development proposed is residential development for five new dwellings on land at Hubbastone Road.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made in outline form with all matters reserved for future consideration. Other than the site location plan, all submitted plans showing the proposed site layout, point of access, scale and appearance of dwellings have been treated as purely indicative.

Main Issues

3. The main issues are whether the proposal accords with the provisions of local planning policies in respect of locating new housing and its effect on the character and appearance of the area.

Reasons

Location of development

4. The appeal site is located along Hubbastone Road, to the south of dwellings on South Road. Whilst the site is not isolated given its location adjacent to dwellings and an industrial area, it is outside of the development boundary for Appledore under the North Devon and Torridge Local Plan 2011 – 2031 (adopted Oct 2018) (NDTLP) and Proposals Map 8B.
5. NDTLP Policy ST06 directs development to the areas within the development boundaries of the named local centres, villages and rural settlements. Appledore is listed as a local centre. However, the site lies outside of the development boundary and is therefore in the open countryside in policy terms. Whilst NDTLP Policy NOR seeks to provide housing within Appledore, it seeks to do so on existing commitments, proposed allocation sites and through redevelopment of previously developed sites.

6. Due to the site's location outside of the defined settlement boundary, it also lies within the 'Undeveloped Coast and Estuary'. In such locations, Under NDTLP Policy ST09, development will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, and only where it cannot reasonably be located outside the Undeveloped Coast and Estuary, for which no justification has been provided in this case.
7. NDTLP Policy ST07 seeks to limit development in the countryside to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a countryside location. The proposal to construct up to five open market dwellings in the countryside does not appear to accord with any of the specific criteria for such development.
8. Under NDTLP Policy ST19 and the provisions of the National Planning Policy Framework (the Framework), there is an acceptance that 'entry level exception sites' may be developed on the edges of main centres, such as Appledore. However, the proposal exclusively comprises open market housing and does not accord with the provisions of the aforementioned Policy or the NDTLP Practice Note 2 'Approach to 'Entry-level Exception Sites' (January 2019).
9. Whilst the proposal would utilise an area which was allegedly used as surplus garden and would involve the demolition of a little-seen dilapidated building, the site is not in a suitable location for new unrestricted residential development on the basis of the clear and unambiguous strategy set by the Development Plan.
10. In view of this main issue, the proposal conflicts with, in particular, NDTLP Policies ST06, ST07 and ST09.

Character and appearance

11. On approach from the south (Hubbastone Road), the elevated site sits behind a large stone retaining wall and is formed from the embankment and vegetation growing above it. Dwellings in South Road are located above the site at a higher level again and are visible on approach to the site, albeit behind a large degree of vegetation. The site's vegetation provides a semi-rural quality to the area, despite the proximity of large industrial buildings to the east and housing to the north. To the west and south-west of the site, there is an extensive area of largely undeveloped agricultural land of which the site appears more an intrinsic part.
12. Despite the existence of the industrial buildings to the east, and dwellings to the north, the appeal site is green and its value is in its role as a vegetated embankment to provide some separation between the dwellings and retaining wall at the roadside edge. A residential development as detailed in the illustrative plans would substantially urbanise the site and introduce imposing development close to, and higher than Hubbastone Road, with detriment to its semi-rural character.
13. Whilst the submitted access and layout plans are provided for illustrative purposes only, they detail the extensive excavations from the site to provide an access and estate road at an acceptable gradient, developable area, gardens and retaining structures. Such works would result in a harsh and unsympathetic development, with little ability to retain any of the softness currently provided by trees and vegetation. Due to the siting, gradient, scale

and form of the site, an alternative scheme would be unlikely to yield a dramatically different outcome.

14. I note that a number of alterations have been made to the appeal application during the course of its consideration. As the proposal is in outline form, those changes are also assessed on an illustrative basis. That the site may constitute brownfield land by virtue of the existence of a small building without proven lawful use does not change my view about the harm that would result from the introduction of dwellings thereupon.
15. In view of this main issue, the proposal would harm the character and appearance of the area and would therefore conflict with NTDLP Policies ST04, ST09, DM04 and DM08A. These Policies, when read together, seek to ensure that new development responds to the characteristics of the site, its wider context and protects the unspoilt character, appearance and tranquillity of the area.

Planning balance and conclusion

16. The proposal would result in the provision of up to five new dwellings which would add to the local housing stock and result in economic benefits throughout the construction phase and throughout occupation. There would also be some social benefits from the proposal through increased access to housing. I attribute these benefits modest weight.
17. However, neither the benefits of the scheme or the other matters raised amount to considerations of sufficient materiality to outweigh the identified harm or associated Development Plan conflict.
18. Therefore, for the reasons given above, the appeal is dismissed.

Hollie Nicholls

INSPECTOR