
Appeal Decision

Site visit made on 1 October 2020

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/U1105/D/20/3255393

Holmleigh, Back Lane, Newton Poppleford EX10 0EY

- 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 & Mrs Kevin & Marianne Howe against the decision of East Devon District Council.
 - The application Ref 20/0471/FUL, dated 28 February 2020, was refused by notice dated 29 May 2020.
 - The development proposed is the raising of the roof ridge and insertion of attic windows to south and north elevation. Construction of front and rear dormer windows, single storey side extension and provision of render to existing brickwork.
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Decision

1. The appeal is allowed and planning permission is granted for the raising of the roof ridge and insertion of attic windows to south and north elevation. Construction of front and rear dormer windows, single storey side extension and provision of render to existing brickwork at Holmleigh, Back Lane, Newton Poppleford, EX10 0EY, in accordance with the terms of the application, Ref: 20/0471/FUL, dated 28 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby approved shall in all respects accord strictly with drawing numbers: HNR PL-06, OA019 PL-01, OA019 PL-02, OA019 PL-03, OA019 PL-04 and OA019 PL-05 received by the Local Planning Authority on 28 February 2020.
 - 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area and the host building.

Reasons

3. The appeal building is a two storey detached dwelling, predominately constructed in brick, which is set back from Back Lane behind a modestly sized front garden. The appeal building appears to have been altered and extended to the rear with a further substantially sized garage or outbuilding occupying

space within the appeal site. The dwelling has a symmetrical front elevation and a shallow pitched roof.

4. The character and appearance of dwellings which front onto Back Lane close to the appeal building, can be described as mixed in terms of their design, scale and height. Some of these dwellings appear to have been extended or altered in a variety of ways or have been designed to include features such as dormer windows within roof slopes. Furthermore, the somewhat harmonious appearance and scale of the buildings within Back Lane has been significantly diminished by the presence of a bungalow adjacent to the appeal site, and which separates the appeal building from the two storey dwelling at Otter Dene.
5. I consider that the proposed roof changes in terms of height, design and additions, would be well proportioned in relation to the scale and proportions of the dwelling at the appeal site. The proposed roof form would not, in my view, appear unbalanced and I consider that the proposed alterations, including the proposed single storey side extension, would integrate appropriately with the existing form of the dwelling, reflecting features which are already found on dwellings within the immediate vicinity of the appeal site whilst maintaining a symmetrical appearance to the front elevation.
6. Whilst the proposal would result in a building that has a roof ridge line height in excess of its immediate neighbour at Littleholm, the scale and height of the proposal would not dominate that neighbouring building by reason of the separation distance between those respective dwellings.
7. For the above reasons, I conclude that the appeal scheme would not be harmful to the character and appearance of the appeal building. Given that I have concluded that the proposed development would respect the character and appearance of the property, I am also satisfied that it would not be harmful to the somewhat mixed character and appearance of nearby dwellings, the character and appearance of the surrounding area, nor would be harmful to the street scene.
8. As a result of my findings above, I do not consider that the proposed alterations and extension would adversely affect the character or appearance of the host building or would appear as an incongruous feature in street scene views. Accordingly, the proposal would not adversely affect the character and appearance of the surrounding area. The appeal scheme would therefore comply with Policy D1 of the East Devon Local Plan 2013 – 2031 which, amongst other matters, requires that development respects the key characteristics and special qualities of the area and do not adversely affect the distinctive historic or architectural character of the area or the urban form in terms of significant street patterns.

Other Matters

9. Interested parties have raised concerns regarding the adequacy of parking provision at the site in the event that the appeal was allowed. In this respect, the evidence before me indicates that the application would accord with the policies of the development plan with regards to parking standards. Whilst it is noted that the proposal may not strictly accord with the aims and objectives of the Newton Poppleford Draft Plan, the plan has not been adopted and, consequently, carries only very limited weight in the determination of this

appeal. In any event, it would appear from observations made on my site visit that there would be sufficient space within the appeal site to allow for adequate parking to serve the appeal dwelling and which would not adversely affect the amenity of nearby residents nor be detrimental to the free flow of traffic within Back Lane.

10. The appeal site is located within the East Devon Area of Outstanding Natural Beauty (the AONB). In accordance with the statutory duty set out in Section 85 of the Countryside and Rights of Way Act 2000, I have had regard for the special qualities and significance of the AONB. In this respect, I conclude that the proposed alterations to the existing dwelling, which are limited in scale, would not be harmful to landscape or scenic beauty of the AONB and, accordingly, the proposal would not conflict with paragraph 172 of the National Planning Policy Framework.

Conditions

11. The Council has, within the appeal questionnaire, suggested standard conditions relating to the timescale of implementation, matching materials and the requirement to carry out the development in accordance with the approved plans. These conditions are either statutory in nature or reasonable and necessary in the interests of certainty and I will impose all those suggested with the standard wording.

Conclusions

12. For the reasons given above, the appeal succeeds and planning permission is granted subject to the conditions identified.

A Spencer-Peet

INSPECTOR