



Appeal Decision

Site visit made on 8 December 2020

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2020

Appeal Ref: APP/U1105/W/20/3258745

56 Millers Way, Honiton EX14 1JB

- 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 T Chown against the decision of East Devon District Council.
 - The application Ref 20/0874/FUL, dated 24 April 2020, was refused by notice dated 2 July 2020.
 - The development proposed is the demolition of existing garage and construction of new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage and construction of new dwelling at 56 Millers Way, Honiton EX14 1JB in accordance with the terms of the application, Ref 20/0874/FUL, dated 24 April 2020, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. Millers Way has a suburban character. Dwellings are set back from the highway edge, many with open, soft landscaped front gardens, giving the area a fairly uniform, spacious character and appearance. The site is situated on the inside curve of a looped section of road in a corner location. It is on high ground and there are long range views through the site to the surrounding countryside. These and other countryside views from parts of Millers Way further contribute to the character of the area.
4. The proposal would obstruct views across the site. However, the long range views would remain to the side, along the main straight leg of the loop road. Thus, the connection to the surrounding countryside of the overall Millers Way area would be preserved.
5. The dwelling would be sited closer to the highway edge than most other dwellings. Nearby No.38a is an end terrace on the straight leg of the loop and, while this location means it is not so prominent, its side elevation has a similar relationship to the highway as the proposal. The new dwelling would be set back slightly from the highway edge with additional landscape planting. When seen alongside the deeply set back dwellings on the opposite side of the road, this would maintain a spacious, soft landscaped appearance. Thus, the reduction in some shorter range views within the Millers Way area through the

slight enclosure of the inside of the bend would not harm the generally uniform, open, suburban character of the area.

6. I, therefore, find that there would be no conflict with those aims of Policy D1 of the East Devon Local Plan 2016 that seek to ensure development respects the special qualities, urban form and characteristics of the area.

Other matters

7. The new dwelling would be sufficiently distant from existing dwellings to avoid any loss of privacy or harm to outlook. Due to its relative position compared to neighbours, there would be no significant effect on sunlight and daylight.
8. There would likely be some disturbance and inconvenience during building works, but these would be short term and, therefore, of very limited weight in my decision. The Council is satisfied that the parking provision and access arrangements are suitable for the location and there is no substantive evidence to lead me away from that position.
9. A plans condition is required in the interests of certainty. In the interests of the character and appearance of the area, approval of external wall materials is required and nothing should be constructed within the open landscaped area between the dwelling and highway edge.

Conclusion

10. For the reasons given, I conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule

- 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: Survey drawing; 820.1.a; 820.2; 820.3.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no development above ground level shall be erected within the area hatched green on the approved Floor Plan referenced 820.2 dated April 2020 and that area shall be retained as an open landscaped buffer as indicated on that plan.
- 4) No external wall materials shall be installed until details of their appearance, (including photographs or samples) and manufacturer's references relating to those materials, have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with those approved details.