



Appeal Decision

Site Visit made on 29 July 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021.

Appeal Ref: APP/U1105/D/21/3277866

The Laurels, Longmeadow Road, Lympstone EX8 5LE

- 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 James Whilding, Acorus Ltd, against the decision of East Devon District Council.
 - The application Ref 20/2882/FUL, dated 21 December 2020, was refused by notice dated 14 April 2021.
 - The development proposed is Construction of first floor dormer, ground floor kitchen extension and replacement of side conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of first floor dormer, ground floor kitchen extension and replacement of side conservatory at The Laurels, Longmeadow Road, Lympstone EX8 5LE in accordance with the terms of the application, Ref 20/2882/FUL, dated 21 December 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 200-00 Rev A; Drawing No 200-01; Drawing No 200-02; Drawing No 200-03; Drawing No 200-04; Drawing No 200-05; Drawing No 200-06; Drawing No 200-07 Rev A; Drawing No 200-08 Rev A; Drawing No 200-09 Rev B; Drawing No 200-10 Rev B; and Drawing No 200-11 Rev A.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (Framework) was published in July 2021. However, as the policies of the Framework that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area and designated heritage assets.

Reasons

4. The appeal site contains a bungalow with a large rear dormer and rooflights to the front. The bungalow is set well back from the highway, situated to the side

and rear of Ventnor Cottage and behind a relatively large driveway and front garden area. I observed on my site visit that, despite its slightly elevated position, the bungalow appears as a relatively inconspicuous feature in the street scene and public views of it are generally limited to a short section of highway directly in front and to the west/north-west. Relatively built-up, the surrounding area contains a mixture of properties dating from different eras. Featuring for example render, brick and tile in various colours, cladding, rooflights and flat and pitched roof dormers of various sizes, existing built form also displays an array of styles, sizes and materials. The locality therefore has a residential character and a varied suburban appearance.

5. The site is located near to some listed buildings, including the grade II listed building Ventnor Cottage and Endsleigh Cottage. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses. The Framework also sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. Dating from the mid-19th century, the pair of cottages form a short, intimate terrace with the adjoining grade II listed building of Littlecot and Rose Cottage. The listing description indicates that the cottages have been included for group value. Despite some apparent alterations, the elegant listed buildings, with their sash windows, front door canopies, axial stacks and brick finish in Flemish bond, also positively contribute to the character and appearance of the surrounding area. Their significance as designated heritage assets derive from these aspects while their suburban setting involves a mixture of varied properties in the vicinity.
7. The proposed ground floor extensions to the front and side/rear would read as relatively modest additions. Despite their somewhat modern appearance, with for example large areas of fenestration, they would not significantly change the appearance or scale of the existing bungalow and would not appear incongruous given the varied appearance of surrounding built form.
8. The proposed front dormer and rooflights would be more conspicuous. However, extending across less than half of the bungalow's existing main pitched roof and set below the existing ridge, the box-like dormer would not appear as an unacceptably bulky, dominant or intrusive addition. I observed on my site visit that the dormer would not read as out of scale with its surroundings and would be partly screened from public views due to the position of the bungalow and its cross gable. Although Policy 7 of the Lympstone Neighbourhood Plan (LNP) sets out that roofs should be pitched, it seems to me that, in this case and on the basis of the submitted evidence, a pitched roof dormer would neither result in particularly functional floorspace nor be particularly aesthetic in relation to the other existing and proposed roof forms on the bungalow.
9. Given the presence of other front facing dormers and roof lights, the proposed dormer and rooflights would not read as incongruous features in the locality. With the building already containing four front rooflights, the development would also only result in one additional rooflight. Furthermore, the timber clad dormer would reflect existing materials in the locality and accord with the

guidance in the village design statement regarding the use of natural building materials, as detailed in LNP Policy 7.

10. Due to its location, the site is within the setting of the Ventnor Cottage and Endsleigh Cottage listed building and is seen in the same views. However, a reasonable degree of separation would remain between the buildings and the cottages would continue to have sufficient space to be appreciated both in their own right and as part of the group within the suburban context. Accordingly, and for the above reasons, the effect of the appeal proposal on the setting of the listed building would be neutral and thus its significance as a designated heritage asset would not be harmed. The setting of the listed building would therefore be preserved while the cottages' special features would also not be affected. The other listed buildings in the area – including Littlecot, Rose Cottage and Elmside – are further away and the site is situated away from the current boundary of the Lympstone Conservation Area. Accordingly, I am satisfied that the appeal proposal would also not adversely affect any other designated heritage assets.
11. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area or designated heritage assets. I therefore find that it accords with Policies D1 and EN9 of the East Devon Local Plan 2013 to 2031 and LNP Policy 7. Amongst other aspects and referring to the guidance in the village design statement, these require development to respect local character and the key characteristics and special qualities of the area, relate well to their context and not adversely affect the area's distinctive historic character and designated heritage assets. The proposal would also be consistent with the provisions in the Framework in relation to achieving well-designed places and conserving and enhancing the historic environment.

Conclusion and Conditions

12. For the above reasons, the appeal is allowed.
13. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. Although it has been put to me that a condition could be used to maintain the soft landscaping at the front of the site, I am satisfied that such a condition – irrespective of whether it would be reasonable – is not necessary to make the development acceptable. I have therefore declined to impose it.

T Gethin

INSPECTOR