



Appeal Decision

Site visit made on 27 July 2021

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2021

Appeal Ref: APP/W1145/W/20/3263996

Site west of Yonder Barton, Bay View Road, Northam

- 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 J Stevenson against the decision of Torridge District Council.
 - The application Ref 1/0452/2020/FUL, dated 4 June 2020, was refused by notice dated 6 October 2020.
 - The development proposed is a residential dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a residential dwelling at Site west of Yonder Barton, Bay View Road, Northam, in accordance with the terms of the application, Ref 1/0452/2020/FUL, dated 4 June 2020, subject to the conditions set out in the Schedule at the end of this Decision.

Procedural Matter

2. I have modified the description of the proposed development in the heading above for conciseness.

Main Issues

3. The main issues in this case are:
 - the effect of the proposal on the character and appearance of the area.
 - whether adequate arrangements would be made for drainage.

Reasons

Character and appearance

4. This part of Bay View Road mainly contains large, detached properties set within spacious grounds. While architectural styles are mixed, most dwellings are simply designed in terms of their roofing style, patterns of fenestration and overall proportions. Spacious plots and large front gardens give this part of the street a distinctly open and leafy appearance.
5. The appeal site is an open plot of land which is situated between two large houses. Blue Yonder, to the immediate west, has front and rear extensions with high proportions of glazing. There is also a circular viewing area which projects above the ridgeline of the pitched roof and distinguishes the property from others in the street. Yonder Barton, the neighbouring property to the

east, has a rather more conventional appearance with a hipped roof and gable dormers. These dwellings, together with the appeal site, sit on the crest of a hill with expansive views towards the coast to the north. As such, they can be seen in long distance views from the surrounding coastal areas, including Westward Ho! and Northam Burrows.

6. The proposed dwelling would have an unorthodox, contemporary design, with extensive glazing in both the front and rear elevations. Seen from Bay View Road, it would have an irregular, angular profile with the gable ends of the roof facing the street. As such, it would not be representative of other dwellings in this area, which tend to have more regular, horizontal profiles.
7. Despite this, I am mindful that there is no fixed design style in this location. Although the neighbouring properties are of a more conventional appearance, Blue Yonder has prominent contemporary elements with high levels of glazing. As such, the modern design of the proposed dwelling would not appear entirely out of context in this particular part of the street. While the frontage of the property would be narrower than its neighbours due to the relatively small plot size, the house would be set back from the street frontage behind a detached garage and generously sized parking area. There would be a similar gap between the proposed dwellings and its neighbours as there currently is between other properties in this part of Bay View Road. Hence, the sense of spaciousness that prevails in the street would be maintained.
8. Furthermore, the proposed dwelling would not be especially prominent from within Bay View Road as it would be set back from the frontage within a row of other detached dwellings. Indeed, the dwelling would only come into full view when in close proximity and, for the reasons given above, would appear in keeping within its immediate setting. During the course of my visit, I also had an opportunity to view the site from Westward Ho!. Here, the proposed dwelling would be seen within a row of existing development on a high ridgeline, with woodland in the immediate foreground. Although the dwelling would have a different appearance from neighbouring properties on the crest of this hill, it would appear as a small and mainly indiscernible feature within the wider landscape. Consequently, the visual effect of the development in long distance views from the coast would be minimal.
9. I therefore conclude on this issue that the dwelling would have an acceptable effect on the character and appearance of the area. There would be no conflict with Policies DM04 and ST04 of the Local Plan¹, both of which actively promote appropriate standards of design.

Drainage

10. Although limited details have been provided to show how foul drainage would be dealt with, I am not aware of any technical reasons that would prevent the installation of a suitable drainage scheme. The Council has suggested a planning condition requiring further details to be provided and for a drainage scheme to be implemented prior to proposed dwelling being brought into use. In my view, this would adequately address the provisions of Local Plan Policies ST03 and DM04 which both require effective water management. I therefore conclude on this issue that, subject to the suggested planning condition, adequate arrangements would be made for drainage.

¹ North Devon and Torridge Local Plan 2011-2031.

Other matters

11. I am informed that the Council is unable to demonstrate a five-year supply of deliverable housing sites. However, as I have found the proposal to be in compliance with the Local Plan, I do not consider this matter any further.

Conclusion

12. For the reasons given above, the appeal should therefore be allowed. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To help protect the amenity of neighbouring occupiers, there is a condition withdrawing certain permitted development rights. A condition has also been imposed to ensure that a satisfactory drainage system is installed.

Colin Cresswell

INSPECTOR

Schedule of 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: 2004_P_001 Location Plan REV 01, 2004_P_002 Block Plan REV 01, 2004_P_003 Existing Site Plan REV 01, 2004_P_004 Proposed Site Plan REV 01, 2004_P_005 Proposed Ground Floor Plan REV 01, 2004_P_006 Proposed Lower Ground Floor Plan REV 01, 2004_P_007 Proposed First Floor Plan REV 01, 2004_P_008 Proposed North & South Elevations REV 01, 2004_P_009 Proposed East & West Elevations REV 01, 2004_P_010 Proposed Garage Elevations REV 01, 2004_P_011 Proposed Site Section REV 01, 2004_P_012 Proposed South Elevation in Context REV 01, 2004_P_013 Proposed East Elevation in Context REV 01, 2004_P_014 Highways & Access REV 01
- 3) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2018, (or any Order revoking and re-enacting that Order) no development of the types described in Part 1, Class A-E and Part 2, Class A of Schedule 2, other than that hereby permitted shall be carried out without the further grant of planning permission.
- 4) Prior to its installation, full details of the means of disposal of the foul drainage, including supporting percolation testing if necessary, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the development being brought into its intended use and shall thereafter be retained as such.