



Appeal Decision

Site Visit made on 25 October 2021

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 November 2021

Appeal Ref: APP/U1105/D/21/3278497

1 Highfield, Sidmouth EX10 8XA

- 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 Mrs Jessica McDonald against the decision of East Devon District Council.
 - The application Ref 21/1096/FUL, dated 15 April 2021, was refused by notice dated 22 June 2021.
 - The development proposed is a single storey garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site lies within a built-up, predominantly residential area of Sidmouth. The roads in the vicinity have a mix of terrace, semi-detached and detached houses with some of the properties having landscaping to their gardens which complement the built form. Some of the properties have had surfaced parking areas provided to their frontages while others have separate garage buildings, such as the properties across the road from the appeal site.
4. 1 Highfield is a semi-detached dwelling positioned above the road beyond the top of a fairly steep bank. There is pedestrian access to the building and its main garden area is located behind a fence at the top of the bank.
5. The house is prominent in some street scene views because of its elevated position and it is in direct line of sight when travelling up parts of Brewery Lane before the bend. The greenery of the bank in front of the dwelling helps to soften its appearance in the street scene. Indeed, the bank as a whole, although overgrown, is a valuable component of landscaping within this part of Highfield. The positive aspects of the bank contrast with the adjoining, mainly brick wall with its height and extent of hard surface.
6. The proposed garage building would be constructed following the excavation of part of the bank. A front section of the garage would still, nevertheless, project forward of the angle of the sloping bank. Even with an extensive landscaping scheme this projecting feature would likely stand proud of the slope and would appear as a somewhat jarring and discordant addition to the bank in some

views when travelling down parts of Highfield, even taking into account the built surroundings and backdrop of the wall. In this respect the projection forward would be a noticeable and harmful change to this part of the street scene, despite much of the bank remaining.

7. When travelling up parts of Brewery Lane there would be direct views of the front of the garage where the height of the building would extend up towards the level of the bottom of the fence. The consequence would be that the garage would appear quite high. This height, together with the width of the garage and the loss of this section of bank, would draw the eye at this bend in the road. The result would be that the garage would appear as an unduly dominant and discordant addition to this part of the street scene adding to the built form near the high wall. Again in these views the contribution that the present bank makes to softening the appearance of this part of the road would be diminished.
8. The area has many garages, driveways and parking areas. However, few examples appear to be comparable to the appeal scheme and involved the excavation of a bank and introduction of a garage. The extent of development within this part of the built-up area, and the presence of other garages do not in themselves justify the appeal scheme which would be unduly harmful for the reasons explained.
9. Planning permission has been granted in this area for a section of the bank to be excavated and a single parking space to be provided. With this scheme the area of exposed walling and the loss of the bank would have a visual effect on the area. However, the supporting walls would not materially project beyond the slope of the land, the width of the excavated area would not be as wide as the present proposal and the harmful effect of the height of the proposed garage building would not be a component of the approved parking area. Consequently, while the principle of a parking space has been agreed, the appeal proposal would be more harmful and prominent and therefore the existing permission is not a justification for the appeal scheme.
10. I appreciate that with the appeal scheme the fence line would be retained and the garden area would not need to be reduced. A charging point for an electric vehicle and cycle parking would be incorporated into the design. There would be some benefits with the provision of planting to the roof, however, this would be unlikely to entirely mitigate the loss of the greenery from the area where the bank would be excavated. I also note the issue that has been raised that the garage building would be more structurally stable than the walls associated with the permitted parking space scheme. However, there is no detailed technical reason before me that demonstrates that the approved parking space could not be provided. All of these elements outlined above are generally positive aspects of the proposal. However, they would be reasonably minor in extent and merit only limited weight in favour of the scheme. These benefits and all other matters in support of the proposal would not outweigh the harm I have identified that would result from the development.
11. Accordingly, I conclude that the development would harm the character and appearance of the area. It would thereby conflict with Policy D1 of the East Devon Local Plan 2013-2031 and Policy 7 of the Sid Valley Neighbourhood Plan 2018-2032 which require, amongst other things, that all new development

should be designed to complement and enhance the local distinctiveness of the character of its immediate locality.

Conclusion

12. The proposal would harm the character and appearance of the area and would thereby conflict with the development plan when considered as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

David Wyborn

INSPECTOR