



Appeal Decision

Site visit made on 1 December 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2021

Appeal Ref: APP/W1145/W/21/3279508

Land adjacent to Myhouse, Bradworthy, Holsworthy EX22 7RQ

- 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 S and Mrs D Craske against the decision of Torridge District Council.
 - The application Ref 1/0246/2021/FUL, dated 2 March 2021, was refused by notice dated 28 April 2021.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's reason for refusal refers to paragraphs 124 and 127 of the National Planning Policy Framework (2019). During the appeal, on 20 July 2021, the Government published its revised National Planning Policy Framework (the Framework). In the revised version the paragraphs are renumbered 126 and 130, but otherwise remain largely unaltered. The appeal timetable has allowed both parties the opportunity to make comments relating to the updated Framework.

Background and Main Issue

3. The appeal site lies outside the development boundary for Bradworthy as defined by the North Devon & Torridge Local Plan 2011-2031 (adopted 2018) (the Local Plan). Consequently, the site is in the countryside, where Policy ST07 of the Local Plan restricts new residential development. However, there is an extant outline planning permission¹ for two dwellings on land that includes the appeal site. On this basis, the Council does not contest the principle of residential development on the site.
4. Therefore, the main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site forms part of a fairly level grass field on the southern edge of the village. The wider field is enclosed by a roadside hedge to the north, and its eastern edge abuts the built-up part of the settlement. There are hedgebanks with trees on the west and south boundaries, but there are significant gaps in these features, which allow views through to the expansive open countryside

¹ LPA reference 1/0319/2020/OUT

beyond. Consequently, notwithstanding its location adjacent to the settlement boundary, there is a significant visual relationship between the appeal site and the surrounding countryside. It lies adjacent to one of the main roads that enters the village, so it is part of a gateway where the open countryside meets the settlement edge.

6. Approaching the village from the west, the site is initially obscured by a roadside agricultural building. However, once beyond this building, the curve of the road reveals the graveyard behind a stone wall to one side, with a roadside hedge and grass verge on the other, with open countryside beyond. In this view, the village buildings are predominantly single storey, with only their roofs appearing above the roadside and graveyard hedge boundaries. Myhouse is also visible, but is of modest scale, with a pyramidal roof, so is not a dominant feature. The two-storey houses at Ford Cottages and Ford Crescent do not come into view until the next bend in the road is negotiated. The approach to the village from the west is, therefore, characterised by modest, low-level buildings, resulting in a gentle transition from the open countryside into the built-up part of the settlement.
7. The proposed dwelling would be of a substantial scale, with an extensive footprint, and two-storeys in height. It would be much larger than the other buildings at this entrance to the village, and would have a much greater visual presence. Its expansive two-storey side and front elevations would be readily visible from the westerly approach to the settlement, and would result in a stark transition from the surrounding countryside. The tree line on the western boundary has significant gaps, so would be largely ineffective in reducing this harmful visual impact. Whilst it is proposed to provide additional landscaping, the bulk and height of the building would still be apparent, and would be out of keeping with the other low-key buildings that characterise this semi-rural approach to the village.
8. Viewed from the cemetery and the road alongside it, the dwelling would be visible over the roadside hedge, which would only screen the lower portion of the building. From the cemetery, Myhouse is largely hidden by vegetation, so the proposed house would be viewed in the context of the surrounding modest bungalows and open countryside. The appellant contends that the ridge height of the dwelling would only be a little higher than the chimney of Myhouse. However, the chimney of Myhouse arises from the point of a pyramidal roof that is about a metre lower. In contrast, the ridge of the proposed house would extend for about 12 metres, and the roof would be a very bulky feature. Consequently, from this viewpoint, the dwelling would appear as an isolated structure, that would be out of scale with surrounding buildings and incongruous in its rural environment.
9. The dwelling would be set a considerable distance back from the road and, whilst this may play some modest role in reducing its dominance in the street scene, it would also serve to reduce its association with the existing built-up part of the village. This would be exacerbated by its separation from Myhouse. Whilst the plans identify the intervening land for future development, the evidence indicates that there are no immediate plans to pursue this. Consequently, when viewed from the edge of the village to the east, the dwelling would appear as a large, isolated dwelling in the countryside, rather than as part of the built form of the settlement.

10. Although the appellant contends that the dwelling would be consistent with the local vernacular, no evidence has been presented to demonstrate that the design is based on a clear process of analysis of, and response to, the characteristics of the site and its wider context. The use of render, stone and slate would be appropriate on the edge of a Devon village. However, the mixture of hips, half-hips, gables, and dormers of various proportions would result in an overly complicated roof form that does not appear to have a local precedent. The arrangement and varying proportions of the windows would also give a disorderly appearance to the overall elevations. In the absence of any design rationale, I cannot conclude that the building satisfies the requirements of paragraph 130 of the Framework, to be visually attractive as a result of good architecture, and to be sympathetic to local character and history.
11. In coming to this view, I have had regard to the two houses that have recently been built at Kannevin, to the south east of the appeal site. Whilst similar materials have been employed in this development, the design of the houses, and their relationship with their surrounding built environment, is quite different. Consequently, I do not find that they provide any support for the appeal scheme.
12. The appellant has also drawn my attention to the extant planning permission on the site, and to the similarity of the footprint shown on the approved plans to that now proposed. However, the extant permission is in outline, with only means of access having been approved. Consequently, details of scale, layout and appearance were not determined at that stage. I am mindful, however, that the principle of development on the site has been established. Nevertheless, for the reasons given above, I conclude that the scale, siting, and design of the proposed dwelling would be harmful to the character and appearance of this edge of village location. The proposal would, therefore, be contrary to Policies ST04 and DM04 of the Local Plan, which seek to ensure that development is of high-quality design, which reinforces the key characteristics and special qualities of the area in which it is proposed. The proposal would also conflict with the Framework's aim to achieve well-designed places.

Planning Balance

13. I have found that the proposal would conflict with the policies of the Local Plan that relate to safeguarding the character and appearance of the area. However, the Council cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, Paragraph 11 d) of the Framework advises that permission should be granted, unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. The Local Plan dates from 2018, but the weight to be attached to it does not hinge on its age. Paragraph 219 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. Section 12 of the Framework seeks to achieve well-designed places. Paragraph 130 c) says developments should be sympathetic to local character, including the surrounding built environment and landscape. I see no fundamental conflict between these aims and those of Policies ST04 and DM04 of the Local Plan. The conflict between the proposal

and these development plan policies should, therefore, be given significant weight in this appeal.

15. Set against the harm that I have identified, there would be benefits associated with the development. It would support the Framework's objective of significantly boosting the supply of homes as set out at paragraph 60. Paragraph 79 says that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. In this regard, the site is well-related to the village, so occupants would be well-placed to support local services. The site is also in a location which is sustainable, through limiting the need to travel, and offering a choice of transport modes. The proposal would have an economic benefit through employment during the construction phase, which would accord with the Framework's aim to build a strong, competitive economy.
16. However, the benefits of one additional unit would make little difference to the overall housing delivery position, and the support that one extra household would provide to the local economy would not be significant. It is also the case that the wider site already has outline planning permission for two dwellings. Similar, or greater, benefits could be achieved through a suitable reserved matters scheme pursuant to that permission. Consequently, when assessed against the policies in the Framework, taken as a whole, the adverse impacts on the character and appearance of the area would significantly and demonstrably outweigh the benefits. The advice at paragraph 11 d) does not, therefore, indicate that my decision should be otherwise than in accordance with the development plan.

Conclusion

17. 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 be dismissed.

Nick Davies

INSPECTOR