



Appeal Decision

Site visit made on 9 December 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 FEBRUARY 2022

Appeal Ref: APP/Y1138/D/21/3284762

2 Colebrook Lane, Cullompton EX15 1PB

- 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 Paul Takle against the decision of Mid Devon District Council.
 - The application Ref 21/00829/HOUSE, dated 26 April 2021, was refused by notice dated 28 July 2021.
 - The development proposed is the addition of dormer roof and one room in roof space.
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Decision

1. The appeal is allowed and planning permission is granted for the addition of dormer roof and one room in roof space at 2 Colebrook Lane, Cullompton EX15 1PB in accordance with the terms of the application, Ref 21/00829/HOUSE, dated 26 April 2021, and the plans submitted with it, subject to the following condition
 - 1) The development hereby permitted shall begin not later than [3] years from the date of this decision.

Main Issues

2. The main issues are the effect on:
 - The character and appearance of the terrace of which the appeal property forms part and that of the local area; and
 - The living conditions of neighbouring residential occupiers with reference to privacy.

Reasons

Character and Appearance

3. The appeal property is a 2 storey end of terrace artisan cottage that forms part of a short gable ended terrace of 4 cottages, which appear to be of some age, but that have undergone significant alteration, although not extension. The terrace is orientated so that the cottages turn their backs to the street and the front entrances to the cottages are in the elevation of the terrace that faces away from the street. The entrances to the cottages are approached from a passage walkway that separates the cottages from their associated rear garden spaces. The street access to this walkway is adjacent to the appeal property.

4. The appeal property and the terrace of which it forms part is located in a residential area made up of a variety of semi-detached and detached houses and bungalows of variety of style and age. Many of these are set back from the street or are in closes or cul-de-sac locations that allow for a disjointed street scene, where street views area made up of a variety of the front side and rear elevations of these properties.
5. The proposal is for a tile hung dormer extension that would stretch to the full width of the roof slope of the appeal property that is away from the street. The extension is designed to read as being in 3 distinct parts, each part with a window that would stretch to the full width of the roof slope of the appeal property that is away from the street. The design of the extension in 3 parts has the effect of breaking down its apparent scale, with the two end parts having a shallow pitch to their roof that would hip with the existing roof slope. This design approach would lead to the apparent scale of what is quite a large dormer extension complimenting the scale of the appeal property.
6. The terrace of 4 cottages of which the appeal property forms part have been significantly altered. This is particularly apparent in the elevation of the terrace facing away from the street, where the differing wall colours, doors, window type and colours and mix of slate and asbestos tile roof materials do not result in a terrace of properties with a uniform character and appearance. Whilst I acknowledge that the proposal would represent the first apparent extension to the properties in the terrace, the addition of the proposed dormer extension to the appeal property would not, therefore result in harm to the character and appearance of the terrace as a whole.
7. The main views of the proposal from the public realm would be from Colebrook Lane, where the flank cheek of the extension would be apparent, and from where it would sit proud of the existing roof slope in which it would sit and above the gable wall end of the appeal property.
8. From my site visit it was evident that many of the bungalows and some houses in the area had been the subject of dormer extensions in a variety of roof slopes. Given the orientation of these properties to the street, as detailed above, these form a significant part of the general street scene of the local area. Within this context, the visibility of the proposal from the public and private realms would be in keeping with the local streetscene and would not result in harm to the character and appearance of the local area.
9. For these reasons I find that the proposal would be in accordance with Policy DM1 and D11 of the Mid Devon Local Plan (2020) (The Local Plan), Policy TC02 of the Cullompton Neighbourhood Plan (2021) and Section 12 of the National Planning Policy Framework (2021) (the Framework), which collectively seek to ensure that development is of high quality design, a key aspect of sustainable development, and are sympathetic to local character.

Living Conditions

10. The proposal would add additional windows at roof level and would result in additional opportunities to look outwards from the appeal property at a higher vantage point than currently possible. Concerns have been raised with regard to the additional overlooking that this would afford of the gardens of the cottages on to which the appeal property faces.

11. This additional overlooking would, however, be over and above the significant amount of overlooking that already exists from the ground and first floor of the appeal property and its neighbours in the terrace. I find, however, that this additional opportunity for overlooking would be to the degree that it would so substantially different from that already existing, that it would be experienced by those using the gardens as intrusive.
12. Similarly, I find that given the separating distances, the oblique angles of view and the extent of existing overlooking, that the additional degree of overlooking of other nearby residential properties would be similar to that from houses in this local area, and would be no greater than that to be expected in a developed residential area of this type and would not result in a significant loss of privacy to their occupiers.
13. The proposal would not, therefore, result in overlooking to a degree that would amount to a loss of privacy causing harm to the living conditions of neighbouring residential occupiers. For this reason, the proposal would accord with Policy DM11 of the Local Plan and Paragraph 130 of the Framework.

Conditions

14. In the interests of certainty, I have attached the standard time limit condition for implementation of the planning permission.

Conclusion

15. For the reasons given above and having regard to all matters raised the appeal is allowed.

Victor Callister

INSPECTOR