



Appeal Decision

Site visit made on 18 January 2022

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/P1133/D/21/3283851

Cornwood House, Littlehempston TQ9 6NG

- 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 Ben Hersey against the decision of Teignbridge District Council.
 - The application Ref 21/01366/HOU, dated 8 June 2021, was refused by notice dated 4 August 2021.
 - The development proposed is a dependent relatives annexe to main house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have simplified the address taken from the planning application form so that it relates to the postal address of the site only.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the host dwelling and the area.

Reasons

4. The host dwelling is positioned perpendicular to the road at one end of the appeal site, with its garden area running south eastwards, parallel to the road. The host dwelling, whilst not listed, is an attractive building of elegant proportions. Elsewhere on the appeal site, there is an existing single garage roughly in the location of the appeal proposal. It is a simple, compact building with a relatively shallow pitch roof. There are other existing outbuildings located towards the south east boundary of the site. These are also modest buildings and positioned on the site such that they are well screened from the road. This positioning of existing buildings on the site means that from the site access there are largely uninterrupted views across the site towards the surrounding gently undulating rural landscape in which the appeal site is located.
5. The appeal proposal would be prominent from the point of access and with a footprint of 105 sqm¹ it would be a sizeable building. Rather than appearing as a building which is subservient to the main house, its size and design would give it the appearance of being a dwelling in its own right. Together with the prominent positioning of the building on the site this would lead to the appeal

¹ This measurement is taken from the appellant's Grounds of Appeal dated September 2021

- proposal competing with, rather than complementing, the character and appearance of the host dwelling.
6. In addition, the appeal proposal's roughly central location on the site would mean that it would be highly visible from the road, obscuring the views of the countryside beyond and although set back into the site, I find that it would be a dominant feature in this part of the street scene and would detract from the character of the local landscape.
 7. Taken together, I find that the proposal is contrary to Policies S1, S2 and EN2A of the Teignbridge Local Plan 2013 – 2033 adopted May 2014 (LP) which seek to conserve and enhance the landscape character of the area and Policy WE8 of the LP which permits residential outbuildings which are complementary to the existing building and where they do not have a dominant or overbearing impact on the street scene.
 8. The proposal includes the demolition of the existing garage and other outbuildings which amount to a floorspace of 95sqm ². However, for the reasons set out above with specific regard to the positioning of these existing buildings I do not find that their demolition would mitigate the harm I have found.
 9. I understand that the appellant is seeking to provide accommodation for a relative. However, I have not been provided with any specific information regarding the need for such accommodation and as such I am unable to give this more than limited weight in my consideration of the appeal.
 10. My attention has been drawn to an appeal ³ where the Inspector allowed an existing holiday let to be used for occupation by a dependant relative. However, I do not find that the cases are similar in that the current appeal proposal involves the erection of a new building, and it is the form and location of the building which is the basis of the Councils case, rather than the provision of ancillary accommodation itself.
 11. My attention has been drawn to paragraphs 119 and 124 of The National Planning Policy Framework which seek to encourage the effective and efficient use of land in meeting the need for homes. However, when taken as a whole, the Framework also seeks to recognise the intrinsic character and beauty of the countryside (paragraph 174) and ensure that proposals are sympathetic to local character and landscape setting and it is for these reasons that I have concluded the appeal must fail.

Conclusion

12. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR

² This measurement is taken from the appellant's Grounds of Appeal dated September 2021

³ Ref: APP/X1118/W/20/3245841