



Appeal Decision

Site visit made on 11 May 2022

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2022

Appeal Ref: APP/Q1153/W/21/3287581

1 Summer Green, Road from Blacksmith Arms to Venn House, Lamerton PL19 8FJ

- 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 M Bassett against the decision of West Devon Borough Council.
 - The application Ref 1133/20/FUL, dated 7 April 2020, was refused by notice dated 28 May 2021.
 - The development proposed is erection of garage or storage building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effects of the proposal on (a) the character and appearance of the area and (b) on the adjacent landscape features, including trees.

Reasons

Character and appearance

3. The appeal site is formed from a small area of land to the front and side of No 1 Summer Green, abutting the roadside hedgerow and a hedgerow separating the front parking area from the adjacent field. Despite the close proximity, the appeal site is not part of the planning unit associated with No 1 and the proposal seeks permission for a standalone garage *or* storage building. The building would measure 5m by 3m by around 3.3m high to the ridge of its pitched slate roof. It would be constructed from blockwork with timber cladding on the upper parts of the walls.
4. In the surrounding area, the form of development is linear, with houses lining either side of the rural road with varying degrees of set back. The frontage spaces are either set behind established hedgerows or where more open, still have verdant qualities. The appeal site is no different to this in that there is an established roadside hedgerow which screens much of the parking area and dwelling from the road. A cluster of established mature trees that form parts of these hedgerows also contribute to the degree of screening.
5. Outbuildings associated with dwellings are infrequently dotted around the area in publicly visible spaces, many of these small timber sheds, though with some occasional low-level block-built garages. The recent development at 'Fortescue Court' is a slightly more unusual example where a number of

domestic outbuildings have been sited in the more publicly visible gardens adjacent to the roadside. Nonetheless, the buildings are discreet in size and appear as part of the coherent landscaping strategy for the scheme, rather than as an afterthought.

6. In contrast, the proposed building would be added to a small piece of leftover space that contributes to the openness of the functional parking and circulation area in front of the dwellings at Summer Green. It would also directly adjoin the hedgerows and be below the tree canopies, making it appear cramped and poorly-considered in terms of scale and siting in relation to these features. Whilst the degree of visibility of the building would be limited to its upper parts from the adjoining road, a development does not need to be widely visible to be poorly designed relative to the context in which it would be situated.
7. For the above reasons, the proposal would be harmful to the character and appearance of the area, contrary to Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan (2019) (JLP) which seeks to ensure that development has proper regard to the pattern of local development in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, landscaping and character.

Landscape Features

8. A cluster of mature trees are situated in the corner and along the established side hedgerow adjacent to the appeal site. These trees are highly visible within the wider area and contribute positively to its semi-rural character. The grassed space directly adjoining them and beneath their canopies that forms the appeal site is of an appropriate scale to give the trees and hedgerow some separation from the hardstanding parking area.
9. The proposal would involve siting a building of 15 sqm directly adjoining the hedgerow, below the canopies of the trees and, in all likelihood, on the root systems of the trees. Whilst I have reservations about whether the size and format of building would actually fit within the earmarked space, another concern is the potential impact on the trees, with an absence of a site-specific assessment or protection plan to ensure that the development could proceed without harm thereto.
10. The appeal has been submitted with an indication of a piling foundation system that could be employed as a requirement of a planning condition. However, this aspect of the proposal is offered with scant detail as to its suitability for the specific site conditions, such as how close the building would be to the hedgerow base and how many piles would be needed in what depth of base for the allegedly 'lightweight' building. I have too little assurance that the pile foundation system or a condition to retrofit protective measures could be certain to avoid the harm which I envisage would occur given the close relationship of the aforementioned features to the proposed building. Furthermore, the logic of siting the building in such a constrained space is also questionable given the large extent of land also within the same ownership that appears to be less so.
11. For the foregoing reasons and in the absence of evidence to the contrary, the proposal would be harmful to adjacent landscape features, including trees, contrary to Policy DEV23 of the JLP, which, amongst other things, seeks to ensure that development conserves and enhances the characteristics of the

area along with valued attributes and existing site features such as trees and hedgerows.

Other Matters

12. Whilst the Council have referred to the emerging Lamerton Neighbourhood Plan in the decision notice, no specific policies have been cited and it does not appear that it has progressed to a stage where it can be afforded more than limited weight in any event. Consequently, I have not considered it further.

Conclusion

13. The proposal conflicts with the development plan, when taken as a whole. There would not be any public benefit of the scheme and nor are there any other considerations that outweigh this harm or indicate that permission should be granted other than in accordance therewith.
14. Consequently, the appeal is dismissed.

Hollie Nicholls

INSPECTOR