



Appeal Decision

Site visit made on 6 September 2022

by C Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 October 2022

Appeal Ref: APP/P1133/W/22/3295858

**Former pumping station site, Brocklands, Near Cricketfield Close,
Millstream Meadow, Chudleigh, TQ13 0GA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Chris Cox against Teignbridge District Council.
 - The application Ref 21/01822/FUL, is dated 4 August 2021.
 - The development proposed is erection of dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of dwelling at Former pumping station site, Brocklands, Near Cricketfield Close, Millstream Meadow, Chudleigh, TQ13 0GA in accordance with the terms of the application, Ref 21/01822/FUL, dated 4 August 2021, subject to the conditions set out in the Schedule at the end of this Decision.

Main Issue

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

Reasons

3. The appeal concerns a disused pumping station which is situated in a modern residential area next to a pair of semi-detached dwellings. Although the site contains built structures, it is overgrown and so appears as a small area of vegetation from the street frontage. As such, it is a relatively inconspicuous feature within the context of the wider surroundings.
4. Behind the site there is a public footpath and Grade II listed bridge. Despite being surrounded by modern housing, the path and bridge maintain a green and open setting due to the presence of vegetation and the sloping nature of the land, which provides views towards the distant countryside as well as the nearby recreational field on the opposite side of the road.
5. The proposed new dwelling would join the neighbouring semi-detached houses (No's 4 and 5) to create a terrace effect. Although it would not replicate the design of the adjoining properties, architectural styles in the area are relatively mixed. Indeed, No's 4 and 5 are designed quite differently, even though they form a pair of semi-detached houses. Hence, while the proposed dwelling would have a bespoke design and would introduce new materials, this would be seen in the context of an already varied street scene.

6. Furthermore, the proposed dwelling would reflect some of the elements found in nearby housing. Like other properties in the area, it would have a contemporary appearance and the front and rear gables would partially reflect designs seen in Cricketfield Close. Due to the slope of the land, the ridge height of the proposed roof would be stepped lower than that its immediate neighbour (No 4) which has a large gable end facing the street. This would appear in keeping with other nearby housing where the ridge heights of properties step downwards in response to the slope of the land.
7. That said, the pattern of fenestration would be irregular, unlike other properties in the vicinity. In particular, the first-floor windows on both the front and rear elevations would be positioned at different heights, giving the dwelling a somewhat unorthodox appearance. However, I am equally mindful that the site is constrained due to its limited size and the steep slope. The overall form of the property, including the pattern of fenestration, is partly a response to developing a previously developed site of this nature.
8. Yet while the dwelling would be unorthodox in its design, it would not undermine the visual qualities of the wider area. When seen at close quarters from the public footpath, the rear elevation of the dwelling would be partially screened by vegetation along the rear boundary of the site. This would help to break up the appearance of the rear elevation and make the arrangement of windows less apparent. From more distant vantage points, the rear elevation would appear as a relatively small feature which would blend into a wider backdrop of housing and open space.
9. Similarly, the front elevation would not be a particularly conspicuous feature due to its modest size and the open aspect of the street scene, where it would be seen alongside other dwellings of mixed designs. Despite the irregular pattern of fenestration, it seems to me that the proposed dwelling would not look particularly cramped or otherwise at odds in this part of the street. Nor would the development adversely affect the setting of the Grade II listed bridge, which would maintain its relatively green and open aspect.
10. I therefore conclude that that proposal would have an acceptable impact on the character and appearance of the area. There would be no conflict with Policies S1 and S2 of the Local Plan¹ or Policy CHNDP5 of the Neighbourhood Plan². These all aim to achieve acceptable standards of design.

Other matters

11. The plans indicate that a window in the adjoining property will be blocked as part of the development. However, the evidence presented in the appeal does not indicate that this would have an adverse impact on living conditions within the adjoining property or otherwise have a bearing on the acceptability of the development in planning terms.

Conditions and Conclusion

12. For the above reasons, the appeal is allowed and planning permission is granted. For clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To protect the character and appearance of the area, including the

¹ Teignbridge Local Plan 2013-2033, adopted 6th May 2014.

² Chudleigh's Neighbourhood Development Plan 2019-2033, made March 2020.

Grade II listed bridge, conditions have been imposed requiring samples of materials as well as details of exterior lighting. For the same reason, there is also a condition to ensure the boundary hedge is reinforced as indicated on the plans. Certain permitted development rights are also withdrawn to further protect appearance and to maintain amenity space.

C Cresswell

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 834-01, 834-06A, 834-10A, 617-15A, 617-16A, 834-01, 834-06A, 834-10A, 617-15A, 617-16A.
- 3) Prior to the first use in construction of the hereby approved dwelling details and samples of materials to be used on all external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in the accordance with the approved details.
- 4) Prior to the commencement of works to any part of the stone wall a stone wall sample panel shall be constructed on site and shall be inspected and approved in writing by the Local Planning Authority. The sample panel shall be approximately 2 square meters in size. Once approved the panel shall remain on site until the completion of the works. Stonework shall be constructed to match the approved sample panel and thereby retained.
- 5) Prior to the installation of any external lighting on the outside of the building or elsewhere on the site full details including design, siting and illumination-type shall be submitted to and approved in writing by the Local Planning Authority. Only lighting that has been approved in writing by the Local Planning Authority shall be installed.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no development of the types described in Classes A,AA,B,D and E of Part 1 and Class A Part 2 of Schedule 2 (which includes extensions and alterations to the dwelling, buildings for incidental purposes to the dwellinghouse and means of enclosure) shall be undertaken on the premises (other than those expressly authorised by this permission).
- 7) Prior to occupation of the development hereby permitted, details of a planting scheme along the southern boundary of the property shall be submitted to and approved in writing by the local planning authority. The planting shall take place in accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.