



Appeal Decision

Site visit made on 10 October 2023

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2023

Appeal Ref: APP/U1105/D/22/3307801

The Workshop, Longmeadow Road, Lympstone Devon EX8 5LF

- 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 John Lomax against the decision of East Devon District Council.
 - The application Ref 22/0912/FUL, dated 26 April 2022, was refused by notice dated 23 August 2022.
 - The development proposed is addition of first floor with alteration to fenestration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area, having regard to its location within the Green Wedge.

Reasons

3. The appeal site lies on the southern edge of Lympstone. The existing dwelling is a single-storey structure set within a large garden surrounded by trees. The garden area of the dwelling is bound to the south-east and south by Wotton Brook, with open countryside beyond. A public footpath runs alongside the brook, from which views of the appeal site are available. These views are filtered to a degree by the trees, but even during times of full leaf cover, the existing dwelling is clearly discernible.
4. The overarching character of the area is that of a rural settlement edge. On the approach to the settlement on the public footpath, occasional built features are apparent, including some isolated residential development and agricultural built form. However, the prevailing context is that of intimate countryside, with a high proportion of trees enclosing the sloping valley sides. As the footpath approaches and passes the appeal site, there is a greater perception of residential gardens, ornamental vegetation, and properties on Longmeadow Road. The site therefore forms an important gateway to the village.
5. Although some neighbouring roofs are apparent, the appeal property is generally seen in isolation and not in the context of built form on Longmeadow Road. Consequently, rather than having a strictly defined architectural context, the site's setting is that of rural countryside. In principle therefore, taking a design approach that does not reflect the architectural form of the nearby residential buildings on Longmeadow Road is acceptable.

6. However, the proposals would introduce starkly urban and utilitarian built form. The substantially increased scale of the dwelling and its large elevations, combined with the extensive use of glazing and long shallow roof pitches would create a visually prominent and incongruous form of development at this rural gateway site. This would be particularly apparent to the south and east elevations, where the dwelling is seen at close proximity from the public footpath.
7. Although the development would use a similar materials palette, the design of the proposals would be a marked departure from the modest design and appearance of the existing dwelling. I note the examples provided by the appellant for modern architecture within Lympstone and I observed several during my site visit. However, these are predominantly located well-within the urban form of the village, and do not have the same rural context as the appeal site.
8. I have been provided with some details of the earlier design approaches to the first-floor extension, and the current scheme does represent an improvement in the visual balance and overall massing of the development. However, for the reasons described above, the current design would result in significant harm to the character and appearance of the area.
9. The appellant has set out the site's position in relation to Lympstone's Built Up Area Boundary (BUA Boundary) and the Green Wedge. As an extension to an established residential dwelling, the Council does not raise any concerns regarding the site's position in relation to the BUA Boundary, and I have not examined this further. However, on review of the plans provided by the Council, it appears that the majority of the appeal site is within the Green Wedge, including the dwelling.
10. Lympstone Neighbourhood Plan (LNP) Policy 3 sets out that development will not normally be permitted within the Green Wedge unless it can be demonstrated that no harm to the character or purpose of these areas will occur. Whilst the Council have not referred to Strategy 8 of the East Devon Local Plan (the Local Plan) which relates to Green Wedges in their reason for refusal, the LNP is part of the development plan and has a clear local policy direction in relation to the area identified as the Green Wedge.
11. I note that alongside the appeal property, various development features, including some recent housing developments, are present within the Green Wedge. In line with the development plan policies, it is evident that the Green Wedge does not restrict all development. Within the LNP and Local Plan, the purpose of the Green Wedge is described as protecting the settlement from coalescence with Exmouth, and retaining the settlement's identity. As an extension within the footprint of an existing dwelling, I do not find that the appeal proposals would contribute to coalescence. However, the introduction of visually prominent and uncharacteristic built form would harm the character of the edge of the settlement, and by extension, its identity.
12. For the reasons set out above, I therefore conclude that the proposed development would result in harm to the character and appearance of the host property and the surrounding area. It would also result in harm to the character and purpose of the Green Wedge. This would conflict with Policy D1 of the Local Plan and Policies CA2 and 3 of the LNP. Taken together, these policies require, amongst other criteria, that development proposals respect the

key characteristics and special qualities of the area; do not harm the character or purpose of the Green Wedge; and ensure that design principles along with the scale, massing, height and fenestration of buildings relate well to their context.

Other Matters

13. The appellant has raised concerns regarding potentially unauthorised development occurring on land close to the appeal site, and with the Council's handling of the application. Whilst understandably frustrating, such concerns should be raised with the Council in the first instance. The allegedly unauthorised use of neighbouring land does not alter my overall conclusion.

Conclusion

14. For the reasons given above I find that the proposals would conflict with the development plan when read as a whole. There are no material considerations that have been shown to carry sufficient weight to indicate a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

K Jones

INSPECTOR