

Appeal Decision

Site visit made on 19 December 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2024

Appeal Ref: APP/P1133/W/23/3324149

Littlemead, Marldon Road, Ipplepen, Devon TQ12 5TY

- 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 S Frampton against the decision of Teignbridge District Council.
 - The application, Ref. 23/00217/FUL, dated 7 February 2023 was refused by notice dated 25 May 2023.
 - The development proposed is the extension to the domestic curtilage of Littlemead with the retention of the domestic store and pool.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development lawfully applied for is as set out in the final bullet point above. However, as 'retention' is not 'development' under planning legislation and a number of changes to the site have already taken place, I consider that the amended description on the appeal form that includes a reference to the retrospective change of use of paddock land to a domestic curtilage is more appropriate.

Main Issues

3. The main issues are (i) the effect of the development on the rural character and landscape of the area, and (ii) the effect of the access on highway safety.

Reasons

4. On the first issue the Council considers that the appeal proposal is harmful to the landscape character of the area in terms of three main elements: the principle of the subdivision of the existing paddock; the domestication of this additional area, and the changes in the access to Marldon Road.
 5. On the first point, I saw on my visit that Littlemead is a bungalow positioned at the south east corner of a wedge of land defined by hedgerows along its long boundaries, including to the south west along Marldon Road. Although the dwelling itself is well screened it can be seen along the access drive together with a number of parked vehicles, open storage and an outbuilding.
 6. The Location Plan submitted with the application shows the area to be added to the curtilage as edged red. This piece of land at about 875sqm is of substantial
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size, and at an initial impression not too different in extent to the existing domestic curtilage. The curtilage extension is shown on the Location and Block Plans as separating Littlemead from the appellant's remaining and still larger area of paddock to the north west.

7. I consider that an extension of the curtilage to the extent proposed, and indeed in part implemented, is both excessive in size given the modest scale of the host dwelling and its existing garden, and harmful as regards its use and visual impact. Instead of planting or landscaping in a form appropriate to its rural location and setting that would help the two parcels of land to merge seamlessly, the eye is instead drawn to a random siting of domestic paraphernalia.
8. Leaving aside the parking of a pickup truck and a car close to the access, there is a play pool, a large wooden garden room or store, football goals and play equipment, whilst the appellant's photographs show other children's play equipment and the scattering of these structures and pieces of equipment across an otherwise open field. All of this emphasises the adverse effect of the change of use of the land. In the event that permission were to be granted, it would be impossible to prevent the further domestication of the former paddock as conditions would be impractical and difficult to enforce.
9. Furthermore, these harmful impacts are exacerbated in two ways by the alteration to the former field access. Firstly, the Council's evidence includes a photograph of this as being no more than a field gate to the paddock bounded on each side by high hedge banks. The access is now defined by a stone wall surmounted by horizontal wooden lats to either side which appears incongruous in a country lane and again draws attention as being a harmful alteration to the rural character of the locality. Secondly, the access enables a public view of the domesticated former paddock in a location of sufficient distance from the host dwelling to intensify the perception of their intrusive effect.
10. On the second issue, I observed that this part of Marldon Road is narrow and at the time of my visit was characterised by the frequent passage of cars, vans and HGVs. The absence of sightlines from the intensified access clearly increases the danger because of inadequate visibility and their enlargement to the standard considered by the County Highways would clearly spoil the character and appearance of the country lane.
11. I have had regard to the submissions made in the grounds of appeal and to all other matters raised. However, I find that on the main issues there would be an unacceptably harmful impact on the rural character and landscape of the area and on highway safety. This would conflict with Policies S2, S22 & EN2A of the Teignbridge Local Plan 2013-2033 adopted in 2014 and with Government policy in Section 12: 'Achieving Well-Designed and Beautiful Places' and paragraph 180 of the National Planning Policy Framework 2023.
12. For the above reasons the appeal is dismissed.

Martin Andrews

INSPECTOR