



Appeal Decision

Site visit made on 12 June 2024

by J Hills MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH June 2024

Appeal Ref: APP/U1105/W/24/3340405

Castlewell, Stockland, Devon EX14 9DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Gaskin against the decision of East Devon District Council.
 - The application Ref is 23/2031/FUL.
 - The development proposed is replacement dwelling and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is some dispute over which plans were determined by the Council. Refused plan ref 22.138.GASKIN.08PP B shows a graphical representation of a stone finish, hanging slate and metal cladding. Although the plan does not annotate these elements, the evidence shows that these are the intended finishes, rather than the inclusion of timber cladding. I have determined the appeal on this basis.

Main Issue

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

Reasons

4. The appeal site comprises a small, pitched roof cottage of some age. Although tired in its appearance, its unoffensive extensions are proportionate. The 2-storey property includes small, eave high windows, brick chimney stacks, some exposed stone walling and render. The roofing material appeared to be concrete tiling. The appellant's submitted examples of locally used material include outbuildings and agricultural barns in the area where some timber and sheet roofing is used. However, the design, form, massing and material finish of the host property is typical of others in the surrounding area. Additionally, these properties tend to have pitched slate, thatched or tiled roofs.
5. The existing property is nestled into the corner of its sloping plot and is surrounded by dense woodland. This woodland is locally recognised for its landscape, wildlife and local community value. It is known as the Stockland Turbaries. Despite being common land, I observed some of the surrounding woodland to be thick and potentially tricky to navigate. Furthermore, given

their status, the trees would be unlikely to be at risk of felling. As such, it is likely that public views towards the appeal site would be limited.

6. The appeal site is located within the Blackdown Hills National Landscape (NL). In such areas, the National Planning Policy Framework (the Framework) says that great weight should be given to conserving and enhancing landscape and scenic beauty. The NL is designated, in part, for its architectural appeal. A submitted extract from the Blackdown Hills Management Plan highlights that the appeal lies in the way in which buildings fit so naturally into their surroundings. Whilst the Council does not consider the host property to be architecturally or locally important, it nevertheless contributes to the distinctive character of the NL.
7. The replacement property would be located on the footprint of the existing building. There is no dispute that its different orientation and larger scale would be acceptable. Furthermore, the 2-storey design would follow the sloping topography of the appeal site. To some extent, this would reduce the presence of the proposal's increased massing. Additionally, although of boxed design, the upper floor would be of a similar proportion to the existing building. Despite the lack of a front door and an unusual void, this part of the scheme would not appear wholly out of place in its own right.
8. It is understood that the scheme would include the use of stone, hanging slate and metal cladding. I agree with the Council that the use of hanging slate and metal cladding would not be sympathetic to the local vernacular. This is of relevance as these materials would be added to the more prominent upper floor. Had I been minded to allow the appeal, it would however have been possible to secure an appropriate material finish for the building's exterior using a suitably worded condition.
9. The appellant does not shy away from the fact the proposal would be of an intentionally bold and contemporary design. This includes the use of flat roofing. Whilst it is conceivable that elements of flat roofing could naturally fit into this landscape, the proposed roof terracing with its glazed balustrade and upper storey form a very large and dominating part of the design.
10. Despite its wide and expansive nature, it is acknowledged that the lower floor would be well screened within the wider landscape. However, when compared with the existing building, the eye would be drawn to the contrasting form and massing arrangement between the lower and upper floor elevations. Consequently, the presence of new built form would be eminently more noticeable in the immediate landscape setting. Moreover, from the evidence before me and my own observations, these design features would not in any way be typical of properties in the NL. For the above reasons, it has not been shown that the proposal would conserve and enhance the landscape and scenic beauty of the NL. This is a factor that must be afforded great weight.
11. I conclude that the proposal would harmfully affect the character and appearance of the area. As such, there would be conflict with strategies 7 and 46, and policies D1 and H6 of the East Devon Local Plan 2013-2031. There would also be conflict with policies NE1 and BHE3 of the Stockland Neighbourhood Plan 2014-2031. Collectively in this regard, and amongst other things, these policies aim to conserve and enhance the character and appearance of the NL, respecting its special qualities, ensuring buildings relate well to their context and are sympathetic to traditional built character. There

would be conflict with paragraph 135 of the Framework which says, in part, that decisions should ensure developments are sympathetic to local character and landscape setting.

Other Matters

12. The appeal site is within the catchment of the River Axe Special Area of Conservation. Given the proposal would not add to the number of dwellings in this catchment, the Council says that it would be 'nutrient neutral'. I find no reason to disagree.
13. Had I been minded to allow the appeal, it is acknowledged that matters of drainage, ecology, lighting, and parking could be policy compliant subject to appropriately worded conditions.
14. The proposal would create a sustainably designed property that would encourage the use of electric vehicles. However, any such beneficial features would not sufficiently outweigh the great weight given to the harm to the character and appearance of the area.

Conclusion

15. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed.

J Hills

INSPECTOR