

Appeal Decision

Site visit made on 8 October 2024

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2024

Appeal Ref: APP/U1105/D/24/3347667

1 Pithayes Cottages, Church Road, Whimble, Devon EX5 2TG

- 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 Neil Hitt against the decision of East Devon District Council.
 - The application Ref is 24/0217/FUL.
 - The development proposed is Construction of detached double garage with workshop and gym/storage on first floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the site and the surrounding area with particular reference to the Green Wedge.

Reasons

3. The appeal site comprises a grassed area in front of a white rendered, one and a half storey cottage in a rural, countryside setting. Adjoining it is another part two storey, part one and a half story dwelling, No 2. Two timber clad outbuildings are located in front of No 2 separated from the site by a substantial evergreen hedge. To the south of this is a further timber shed and a menage beyond which are open fields. A small group of houses lies at the junction with the main road to the south. To the north of the site are farm buildings with open countryside beyond. Overall, the site and its surroundings form part of a sporadic pattern of development located in surroundings which have a distinctly rural character and appearance.
4. The proposed building would be a large free standing structure sited at right angles to the cottage. It would have a bigger footprint than the adjacent outbuilding in front of No 2 with a substantial, steeply pitched roof with two large dormer windows. Whilst the roof height has been designed to reflect the ridge height of the dormer windows in the cottage, the scale and mass of the building would dominate the cottage. As a result, the proposal would not appear subservient to it.

5. Even though there is a substantial hedgerow along Church Road beyond the site in either direction, the lower height of the hedge along the site frontage means that the scale and dominance of the proposed building would be clearly visible from the road. Regardless of the speed of passing vehicles, it would be seen through the site entrance when the gates are open and still visible over them when they are closed. As a consequence, although the proposed materials would reflect other buildings in the vicinity, the scale of the building would cause harm to the rural character and appearance of the site and its surroundings.
6. Whilst the Council's Householder Design Guide 2018 is not part of the development plan, it does provide some local design guidance. For the reasons given, the building would be excessive in size and height in relation to the existing dwelling and would not accord with this guidance.
7. An additional building of the scale proposed, sited close to the two adjoining houses and other nearby buildings, would erode the open appearance of the site frontage and add to the existing pattern of sporadic development. By being set at right angles to the cottage, it would visually and physically increase the spread of development along the road. This would contribute to the coalescence of settlements and harm the designated Green Wedge as a result.
8. Reference has been made to a review of the Green Wedge being carried out by the Council and to related "Green Wedge Assessment Summaries." It is not clear from the evidence what status the review or the Summaries have or what stage they may have reached. I have therefore given them limited weight.
9. For the reasons given, therefore, the development would be harmful to the character and appearance of the site and the surrounding area including the Green Wedge. Consequently, it would conflict with Policies D1 and Strategy 8 of the East Devon Local Plan 2016 and the policies in the National Planning Policy Framework to achieve well designed and beautiful places.

Other Matters

10. I have been referred to another garage building constructed a short distance to the north of the appeal site. I have taken this into account in terms of any influence on the character and appearance of the area so far as I am able to based on the information before me. However, I am not aware of the full circumstances of that case and in any event each scheme must be considered and determined on its individual merits.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR