



Appeal Decision

Site visit made on 13 January 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal Ref: APP/U1105/D/24/3348516

Bramblecot Gate, Hawkchurch, Devon EX13 5TZ

- 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 Alex Watson against the decision of East Devon District Council.
 - The application Ref is 23/2774/FUL.
 - The development proposed is for the addition of a detached double garage to property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the planning application, the subject of this appeal, was determined a new version of the National Planning Policy Framework (the 'Framework') has been published (12 December 2024). There has been no material change to National Planning Policy in respect of householder appeals and therefore I consider that it was not necessary to refer back to the parties. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

4. The appeal site comprises an extended semi-detached house orientated at approximately 45° to the road with its front boundary demarcated by a Devon hedge. No survey data or arboricultural information has been submitted to demonstrate whether the garage would affect the hedgerow. I am not convinced of the accuracy of the Proposed Site Plan due to its annotation stipulating a 3m gap between the garage and the highway; and a 1m gap to the hedgerow on the shared boundary with Hill Side: the gaps illustrated on the drawing appear very similar i.e. they are not in proportion to the stated dimensions and therefore the scale of the drawing is also questionable.
5. Notwithstanding this, the garage would almost fill the front garden area of the appeal site and would largely obscure the principal elevation of the host dwelling. It would therefore appear cramped, especially in views from the north-east, giving rise to an overdevelopment of this part of the site.

6. Therefore, due to the uncertainty as to the accuracy of the drawing, it has not been adequately demonstrated that the proposed garage would be screened by the established hedgerows as it may not be possible to fit a garage of the size proposed within the space available. Ordnance Survey plans cannot be relied upon for site setting out and with the absence of survey data there is a chance that the existing road frontage hedgerow would be damaged, eroded or removed altogether to make way for the proposal.
7. I acknowledge that the design of the garage aims to match that of the existing house as closely as possible, but its siting forward of the main dwelling would appear incongruous within the street scene. Clearly, a reduction in the size of the garage may aid in addressing such concerns, but bearing in mind the absence of revised drawings before me, I cannot pass judgement on this.
8. I therefore find that by reason of its size, location forward of the main dwelling and potential loss of hedgerow that the proposed development would be overly prominent and would erode the established semi-rural character of the area. This is contrary to Strategy 7 and Policy D1 of the East Devon Local Plan 2013-2031 (adopted 2016) which together stipulate that development in the countryside will only be permitted where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, as well as important natural and man-made features which contribute to the local landscape character ensuring that the scale and massing relates well to context.

Conclusion

9. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR