



Appeal Decision

Site visit made on 10 February 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th February 2025

Appeal Ref: APP/P1133/W/24/3357968

Higher Upcott, Chudleigh, Devon TQ13 0DN

- 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 Rob Cocks against the decision of Teignbridge District Council.
 - The application Ref is 24/01695/FUL.
 - The development proposed is for the installation of gate, walls and pillars.
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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) and consequently amended on 7 February 2025. 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.
3. The gates, walls and pillars, the subject of the appeal were in situ at the time of my site visit and appear to have been constructed largely in accordance with the submitted drawings. I have determined the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site comprises a residential property located within a fairly remote rural area within the Parish of Chudleigh on an unnamed road due west of its junction with Shipney Lane.
6. The proposal comprises an incongruent mix of materials; buff brick pavements and a grey stone wall with pillars to either side with beaded mortar joints and diagonal close-boarded double gates set within utilitarian metal frames. Together they appear as a strident feature which is wholly out of character with the rural area, more akin to a suburban form of development and completely contrasting with the

previous appearance of the gateway as denoted by the Google Street View extract from December 2021 in the Planning Officer's report (figure 1 as set out therein).

7. I acknowledge that stone per se is an appropriate material for the area along with timber, however it is the overall design and scale of the proposal that provides an overly dominant and incongruous feature within the rural scene, also identified as falling within an Area of Great Landscape Value (AGLV). I can, however, agree that the proposal would not result in any harmful impacts upon the living conditions of local residents and sufficient amenity space and adequate highway intervisibility would be maintained.
8. I note the reference to the General Permitted Development Order, however, it is acknowledged that the scheme before me would not comply with it. Whilst there may be a real prospect that the appellant may seek to amend the scheme such that it would be permitted development, no such alternative scheme has been tabled as a fallback position.
9. I find overall that the scheme has a detrimental effect upon the character and appearance of the countryside and the AGLV contrary to Policies S1, S2 and EN2a of the Teignbridge Local Plan 2013-2033 which together require proposals to, amongst other things, maintain or enhance the character and appearance of landscapes and street scenes, through high quality design which should be specific to the place, based on a clear process which analyses and responds to the characteristics of the site, its wider context and the surrounding area, integrating with and, where possible, enhancing the character of the adjoining built and natural environment whilst seeking to protect and enhance areas of Great Landscape Value.

Conclusion

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

C J Tivey

INSPECTOR