



Appeal Decision

Site visit made on 4 April 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/X1118/D/22/3305444

Thistledene, Exeter Road, Braunton, EX33 2BN

- 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 & Mrs Williams against the decision of North Devon Council.
 - The application Ref. 74303, dated 27 October 2021, was refused by notice dated 26 May 2022.
 - The development proposed is alterations and extension to dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extension to dwelling at Thistledene, Exeter Road, Braunton, EX33 2BN in accordance with the terms of the application Ref. 74303, dated 27 October 2022, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those on the existing building or otherwise be in accordance with those in the Application Form.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 021.035.01 Rev.P1; 021.035.02 Rev.P1; 021.035.04 Rev.P6; 021.035.06 Rev.P5.
 - 4) Prior to the development hereby permitted being brought into first use a bird box shall be sited on the east elevation of the building hereby approved and shall be maintained and retained thereafter.

Main Issues

2. The main issues are the effect of the proposed development on: (a) the character and appearance of the host property and surrounding area; and (b) the living conditions of neighbouring occupiers.

Reasons

Character and appearance

3. Policy DM04 of the North Devon & Torridge Local Plan 2011 – 2031 (Local Plan) (October 2018) seeks, amongst other requirements, to ensure that new

development is of a good design, appropriate and sympathetic in scale, height, massing, layout and building relationships to its surroundings, reinforces key characteristic of the area and contributes positively to local distinctiveness. It needs to be read in conjunction with policy DM25 which states that extensions will be supported where, amongst other requirements, the form, scale, setting and design respects its context and surroundings.

4. A broadly similar approach is set out in paragraph 130 of the National Planning Policy Framework (July 2021) (Framework), but this also states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. Similarly, paragraph 134 b) of the Framework states that significant weight should be given to innovative designs that help raise the standard of design more generally in an area provided the proposal fits in with the overall form and layout of their surroundings. Paragraph 44 of the National Design Guide (NDG) (January 2021) also states that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.
5. The appeal proposal involves extensions and alterations to a two storey semi-detached property on Exeter Road. The road comprises a mixture of similar semi-detached and detached properties, as well as some chalet style bungalows, that, as with the host property, are set back from the road with their frontages largely given over to parking. These surrounding properties vary in terms of their style, scale, form, roof profiles and materials. There is no uniform character, albeit there are pairs of similar semi-detached properties such as the host property and its neighbour Pensilva.
6. Within the above context, the proposed first floor rear extension would appear proportional to the host property and the proposed gable extension to the main roof. The ridge of the new extension would sit below that of the main roof and its eaves would broadly be in line with existing. It would not extend the full width of the host and would be constructed from a similar pallet of materials, as well as being tucked away at the rear where it would not be visible from public vantage points. As such, this element of the proposal would not result in any harm to the streetscene and would be acceptable.
7. In relation to the proposed gabled roof extension, this would run the length of the host and on the frontage would extend marginally in front of the existing main wall, to a position broadly in line with the existing mono pitch roof over the projecting bay/porch. The front gable would extend marginally above the ridge of the main roof to provide accommodation within a new second floor. Whilst this would result in an increase in the bulk of the frontage to the host, it would not be significant or harmful to the host or the streetscene.
8. Gabled extensions are often used to successfully secure new accommodation at roof level or on the frontage to properties and in doing so assist in making effective use of existing land and buildings, and there are examples within the road. In view of this and mindful of the varied character of the area, the proposal would not appear incongruous or out of keeping with the host or the streetscene. In my view, the new gables, combined with the pallet of materials and new windows would result in a development that sits comfortably on the appeal site and secures a high quality of design.
9. I accept that there would be a material change to the scale and design of the host property particularly when viewed from the road. Even so, all the

proposed changes would modernise the appearance of the front elevation, whose current design, even with its symmetrical neighbour, is not of any high value or merit. The result would be a more modern appearance representing an improvement on existing and a design that would integrate reasonably well with its surroundings. The fact that the proposal would result in a design that is not symmetrical to its neighbour should not, in my view, preclude change and innovation that would add interest and variety to the streetscene.

10. Accordingly, I find that the appeal proposal would comply with policies DM04 and DM25 of the Local Plan and the corresponding policies of the NDG and Framework.

Neighbours living conditions

11. The Council contend that the proposed first floor rear extension would lead to a loss of light and outlook to the rear garden of the neighbouring property, Pensilva. The depth of the proposed rear extension is broadly similar to the first part of the existing ground floor extension to the host, beyond which is a further single storey building/extension. The depth of the proposal would also be broadly in line with the single storey rear extension to Pensilva, beyond which is a conservatory with the main garden to that property located to the rear of this. As such and having observed these relationships on site, I am satisfied that the proposal would not have a significant impact on the light and outlook from the rear garden of Pensilva. Similarly, the proposal would not have a significant impact on its habitable windows. I accept that there would be some impact but given the siting and design of the proposed extension relative to the main rear wall, extension and conservatory to Pensilva, and also its main rear garden, the level of impact would be limited and not harmful.
12. Accordingly, I find that the appeal proposal would not lead to any significant harm to the living conditions of the neighbouring occupiers of Pensilva and would comply with policies DM01 and DM25 (c) of the Local Plan, and paragraph 130 f) of the Framework. These seek, amongst other requirements, to ensure that new development does not significantly harm the amenities of the occupants of neighbouring properties.

Conditions

13. I have considered the Council's suggested conditions against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans and for the materials to match existing or as shown on the Application Form, are necessary and reasonable to secure a high quality development. I have, however, added a list of approved plans for clarity. I also consider a condition requiring the provision of a bird box is necessary and reasonable to ensure that the development makes a contribution towards net biodiversity gains.

Conclusion

14. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR