

Appeal Decisions Received between 01/09/09 to 30/09/09

Reference Number	Parish	Proposal Description and Location	Appeal Decision & DATE	Comments
56/0108/09/F	TOTNES	Demolition of existing house and garage and erection of replacement dwelling and detached garage/store, Ridgeside, Jubilee Road, Totnes, Devon TQ9 5BW	ALLOWED On 4.8.09	The Inspector considered that the removal of "permitted development" rights in this instance would be unnecessary and unreasonable. Any small scale extension and ancillary domestic development of the type permitted under the GPDO would not damage the low density character of the area; would not significantly detract from the appearance of the new dwelling or wider area; nor would it adversely affect the living conditions of neighbouring properties.
37/0089/09/F	NEWTON FERRERS	Resubmission of application 37/1261/08/F for the demolition of existing dwelling and erection of replacement dwelling – Crispins Cottage, Bridgend, Newton Ferrers, Plymouth PL8 1AW	ALLOWED On 9.9.09	The appeal for a contemporary designed replacement dwelling on a site outside but close to a Development Boundary was allowed. The Inspector considered the design to be innovative and in terms of its general form and layout, to reflect the grain of neighbouring development. He stated that the architect had given thoughtful consideration to designing a high quality scheme that would be an unashamedly modern interpretation of the distinctive qualities in the local environment and also considered that the proposal would enrich the built environment.

Appeal Decisions Received between 01/10/09 to 31/10/09

Reference Number	Parish	Proposal Description and Location	Appeal Decision & DATE	Comments
58/1837/08/F	WEMBURY	Erection of replacement dwelling on site of existing dwelling : Wynds Waye, Spring Road, Wembury Point, Plymouth, Devon PL9 0AY	ALLOWED On 25.9.09	The appeal against the refusal of a large replacement dwelling of a contemporary style was allowed. The Inspector considered that the proposal would be proportionate to its location and not out of character with its surroundings. He also considered that the replacement dwelling would be contained within an existing continuous line of houses and with regard to its impact on the wider AONB it would not result in material additional harm on the AONB character when viewed from the middle distance.
58/0932/09/F	WEMBURY	New detached garage and associated landscaping – Philpott House Andurn Estate Down Thomas TQ9 0AT	APPEAL ALLOWED ON 29.9.09	The Inspector considered that the proposed garage would not harm the setting of the dwelling which is of contemporary design. Due to the garage's simple low profile design and its siting to one side of the dwelling, and set down in relation to road level, the Inspector considered that the visual space would be largely retained. The Inspector was satisfied that the garage would sit comfortably within its setting and would cause no harm to the character and appearance of the dwelling or its surroundings. Furthermore, she concluded that the development would not have an unduly overbearing impact on the outlook from windows to habitable rooms of Bluewaters, or result in a significant loss of light and sunlight to this property. The Inspector therefore, concluded that the appeal should be allowed.
15/0052/08/F	DARTMOUTH	Alterations and extension to include new garden room – Pound Barn, Lower Norton Farm, Norton, Dartmouth, TQ6 0NY	APPEAL DISMISSED ON 6.10.09	The Inspector was of the opinion that the design of the proposed conservatory would be to the detriment of the character and appearance of the building and the group as a whole. Whilst it was intended to raise the height of an adjoining stone wall, this would not completely screen the conservatory and would exacerbate the adverse effects.
51/0119/09/F	STOKE FLEMING	Retrospective application for the erection of twin wall stainless steel flue :	ALLOWED ON 14.10.09	The Inspector was satisfied that the development is not intrusive or out of keeping and does not harm the character and appearance of the

		High Cottage, Church Road, Stoke Fleming, Devon TQ6 9PX		building, the Conservation Area and the setting of the Church of St Peter.

Appeal Decisions Received between 01/11/09 to 30/11/09

Reference Number	Parish	Proposal Description and Location	Appeal Decision & DATE	Comments
41/0861/09/F	SALCOMBE	Householder Application for formation of dormer window to rear elevation – The Old Church Hall, Church Street, Salcombe, Devon TQ8 8DH	DISMISSED On 29.10.09	The Inspector stated that the proposed dormer would be located on the rear elevation of the appeal property and would face south-eastwards towards the harbour. It would be seen from several public viewpoints looking up towards the church. In some of the viewpoints, such as at Clifton Place in the heart of the Conservation Area, the appeal property can be clearly seen in the foreground of Holy Trinity Church, which in the Inspector's opinion is an integral part of the traditional roofscape which cumulatively forms the setting of the church. He considered that the dormer would appear top heavy in relation to the appeal building and that its harmful impact on the setting of the listed building would diminish the significant contribution that the church makes to the character and appearance of the Conservation Area. In conclusion the Inspector dismissed the appeal considering that the proposal would neither preserve the setting of Holy Trinity Church or the character and appearance of the Conservation Area.
21/2023/08/F	ERMINGTON	Barn conversion to holiday accommodation to include part demolition of East Wall, Barn gates House, Chapel Street, Ermington, Ivybridge, PL21 9NE	APPEAL DISMISSED On 13/10/09	Though the inspector did not consider that the development would have a significant adverse impact on neighbours living conditions, he felt that this was outweighed by the adverse impact that the proposed extension would have on the character and appearance of the existing building and its failure to preserve or enhance the character and appearance of the Ermington Conservation Area. The inspector concluded that the scale of the proposed extension would appear discordant with the existing building and this would be amplified by the contrast between the barn's stone walls and the largely glazed nature of the extensions frontage. The appeal was subsequently dismissed.

27/0734/09/F	IVYBRIDGE	Householder application, resubmission of 27/0077/09/F for side and rear extensions to dwelling, 33 Gorse Way, Ivybridge, PL21 0GA	ALLOWED ON 19.10.09	The Inspector considered that the proposed extensions would not appear unduly large in relation to other properties in the neighbourhood. He considered that the proposed new larger gable would be appropriate for a corner feature and reflect the functional need to accommodate a double garage. He also considered that it would complement the corresponding end gable at 31 Gorse Way, on the opposite side of Blackett Close and would contribute positively to the character and appearance of the estate. Although the relocated garage would not be significantly further away from the footpath than the present garage, it would be integrated with the overall dwelling and would not in the Inspector's opinion detract from the openness of the estate to any greater extent than the present garage. The Inspector therefore concluded that the proposal would not be out of keeping with the street scene or harm the open character and appearance of the surrounding area and allowed the appeal.

Appeal Decisions Received between 01/12/09 to 31/12/09

Reference Number	Parish	Proposal Description and Location	Appeal Decision & DATE	Comments
30/2419/08/0	KINGSWEAR	Building site to rear of Gidleigh House, Higher Street, Kingswear, Dartmouth – Dwelling to rear of Gidleigh House	ALLOWED on 5 November 2009 (Outline planning permission granted)	The Inspector was of the opinion that the appeal scheme would not be unduly harmful to the free flow or safety of road users and that there is sufficient opportunity with the design and landscaping of the scheme to ensure that the development would not be overbearing and not cause unacceptable overlooking.
54/1603/08/F	STRETE	Permanent retention of air source heat pump, acoustic enclosure and associated works as approved with planning application 54/0640/07/F - 14 Crestway, Strete, Dartmouth, TQ6 0SF	DISMISSED on 28 October 2009	Notwithstanding the fact that the Environmental Health Officer has recommended no objections to the retention of the Air Source Heat Pump, the Inspector gave considerable weight to the concerns of neighbours and concluded that the development unacceptably harms the living conditions of the residents of 13 Crestway. A copy of the Inspector's decision letter is attached for information.
(A) 56/0062/09/F and (B) 56/0061/09/CA	TOTNES	(A) Creation of parking for one car at front of dwelling; and (B) Conservation Area Consent for demolition of wall to allow creation of parking space – Dunelm, Bridgetown Hill, Totnes, Devon, TQ9 5BA	APPEALS DISMISSED on 20 November 2009	The Inspector was of the opinion that an important feature of the wall to the streetscene is its continuity. Once there is a significant breach, the damage would affect the integrity of the entire wall and would create a precedent for further breaches of the wall. This would not preserve or enhance the character and appearance of the Conservation Area. In addition, the proposal would result in disruption to the traffic flow on a major highway, with the additional risk to highway safety.
15/0998/09/F	DARTMOUTH	Resubmission of 1904/08 for conversion of loft space to living area with addition of dormer window to rear elevation – 11 Crowthers Hill, Dartmouth, Devon, TQ6 9QX	APPEAL ALLOWED On 16 November 2009 (Conditional planning permission granted)	The Inspector was of the opinion that the proposed dormer and roof building would not look out of place in relation to the property and would have minimal impact on the character and appearance of the streetscene. He considered the proposal would not be intrusive in the wider landscape of the Area of Outstanding Natural Beauty and would not harm the character and appearance of the Conservation Area.
15/1078/09/F	DARTMOUTH	Householder application for extension to existing dwelling onto existing terrace	APPEAL DISMISSED on 15th December 2009	The inspector considered that the extension would be inappropriate in its context; it would have an unacceptable adverse effect on the character and appearance of

				the existing buildings in the area and the living conditions of adjoining occupiers with particular reference to daylight.