



## Appeal Decision

Site Visit made on 12 April 2021

**by T Gethin BA (Hons), MSc, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 April 2021**

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**Appeal Ref: APP/U1105/D/21/3266284**

**1 Orchard Close, Lympstone EX8 5LA**

- 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 Mrs Julie-Ann Clements against the decision of East Devon District Council.
  - The application Ref 20/1983/FUL, dated 15 September 2020, was refused by notice dated 5 November 2020.
  - The development proposed is Change of material on south elevation of garage to render to reflect adjacent properties.
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### Decision

1. The appeal is allowed and planning permission is granted for change of material on south elevation of garage to render to reflect adjacent properties at 1 Orchard Close, Lympstone EX8 5LA in accordance with the terms of the application, Ref 20/1983/FUL, dated 15 September 2020, and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing site location plan (Drawing No PE\_SLP); Garage proposed elevations (Drawing No L(91)20, dated 17.08.20); Garage proposed elevations (Drawing No L(91)10); and Garage proposed plans (Drawing No L(91)00).

### Preliminary Matters

2. The plans submitted with the appeal included two drawings with similar titles and drawing numbers. However, the main parties confirmed that Drawing No L(91)20 Rev A (dated 12.04.20) shows, despite its title, the approved situation and that Drawing No L(91)20 (dated 17.08.20) shows the proposed elevations as part of the appeal. I have determined the appeal on this basis.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area and the setting of the Lympstone Conservation Area (CA).

### Reasons

4. The appeal site contains a detached dwelling and garage. The appeal proposal relates to the southern elevation of the garage and the adjoining boundary wall which are visible in public views from Strawberry Hill and face a private

driveway and the boundary of the CA. The surrounding area includes numerous properties displaying a mixture of materials, including brick, render and tile finishes, stone-clad walls generally facing the public highway, and various other boundary treatments visible from the public realm but situated along private driveways and within plots. Given its proximity to the CA, the site is within the setting of the designated heritage asset. As identified in the Lympstone Conservation Area Appraisal, its significance stems from, amongst other aspects, its historic fishing origins, a number of individual features of interest and many buildings of character and extensive walls with varied materials.

5. The proposed development would change the material of the garage's southern elevation and adjoining wall stretching to the west – and away from the public highway – from the approved stone wall cladding to a grey render. However, rather than facing the public highway, which is generally bounded by stone clad walls in the vicinity, the proposed render would face a private driveway and its finish would neither appear inappropriate nor unsympathetic in relation to the varied materials – including render, brick and timber – on other nearby boundary treatments that similarly do not front the highway.
6. On my site visit, I also observed no other buildings in the vicinity that were clad in stone, while the use of render would reflect the rendered finish of other nearby buildings, including Lympstone Cottage, on the other side of the private driveway and in the CA. Furthermore, the pillar on the eastern side of the garage would remain as stone, as would the site's boundary wall facing Strawberry Hill. The pillar and that boundary wall would thus continue to reflect the surrounding stone walls which run along the public highway in the surrounding area and adjoining CA. Accordingly, I find that the proposed development would be acceptable in relation to the character and appearance of the surrounding area and would have a neutral effect on the setting of the CA, whose significance as a designated heritage asset would not be harmed.
7. For the above reasons, I conclude that the development would not harm the character and appearance of the surrounding area or the setting of the Lympstone CA. I therefore find that it accords with Policies D1 and EN10 of the East Devon Local Plan 2013 to 2031 and Policy 7 of the Lympstone Neighbourhood Plan. Amongst other aspects, these: require boundaries adjoining roads or public footpaths to be defined in a traditional manner and development to respect key local characteristics and special qualities; and set out that development within the setting of CAs will only be permitted where it would preserve or enhance the area's appearance and character. The proposal would also be consistent with the National Planning Policy Framework in relation to conserving and enhancing the historic environment.

### **Conclusion and Conditions**

8. For the above reasons, the appeal is allowed.
9. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty.

*T Gethin*

INSPECTOR