

Appeal Decision

Site visit made on 18 January 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 February 2017

Appeal Ref: APP/X1118/D/16/3160763

Tartooga, Bay View Road, Woolacombe EX34 7DQ

- 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 Ms Keida Abram against the decision of North Devon District Council.
 - The application, Ref. 61325, dated 7 June 2016, was refused by notice dated 8 September 2016.
 - The development proposed is an extension to the existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the existing dwelling at Tartooga, Bay View Road, Woolacombe in accordance with the terms of the application, Ref. 61325, dated 7 June 2016, 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 shall be carried out in accordance with the following approved plans: Drawing Nos. 375/001a; 001; 002B;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. I have determined the application on the basis of amended plans showing a small reduction in the site area and the exclusion of a staircase window. This is because I do not consider these amendments materially affect the nature of the scheme or prejudice the interests of third parties.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Woolacombe Conservation Area.

Reasons

4. The Council's concern is that the extension to the existing dwelling at Tartooga would be visible from viewpoints within the conservation area and will urbanise an undeveloped area that currently provides relief from the surrounding
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- buildings. Furthermore, it is considered that the existing building is out of keeping and the extension would exacerbate its incongruous appearance.
5. As regards its visibility, I note that although the Heritage & Conservation Officer gives a clearly negative opinion of the proposal and its impact, there is additionally the assessment that the *'extension will be sunken into the ground and visibility is limited by Sands Apartments to the south west and the new fence but its presence will not be entirely concealed'*.
 6. I agree with this latter part of the appraisal and consider that not being 'entirely concealed' (my emphasis) is to all intents and purposes confirmation that the extension would not make a material difference to either the views or the character and appearance of this more open area between the large properties fronting Bay View Road and the houses north of the footpath to the rear that appear on the skyline.
 7. The extension would be single storey, dug into the slope and positioned against boundary fencing and planting. To the extent that it would be seen, the building would not draw the eye as a negative feature. The extension's flat roof matches the existing dwelling and with the proposed fenestration and appropriate external materials the addition would appear as having a contemporary rather than a utilitarian design. The context of the site is one of the roofscape of buildings with a range of designs, sizes and materials and a nearby flat roof, and I therefore see no incongruity as regards the appeal scheme.
 8. Taking all these points together I conclude on the main issue that the character and appearance of the conservation area would be preserved. There would therefore be no conflict with Policy ENV16 of the North Devon Local Plan 2006 and Government policy on heritage assets in the National Planning Policy Framework 2012.
 9. Neighbours of Tartooga have raised concerns as regards a number of matters including the effect of the extension on privacy, the density of development, utility services and disturbance during the construction period. To an extent these issues have been addressed in the Council's delegated report and are not cited as reasons for refusal. I have also considered these points but do not consider that any of them would have a harmful effect sufficient to warrant refusal of permission.
 10. The Council has suggested conditions if the appeal is allowed. A condition requiring the development to be carried out in accordance with the approved plans to ensure accuracy. A condition in respect of external materials will ensure that the extension harmonises with the existing building and safeguards visual amenity.

Martin Andrews

INSPECTOR