
Appeal Decision

Site visit made on 28 February 2017

by R J Jackson BA MPhil DMS MRTPI MCMi

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

Decision date: 08 March 2017

Appeal Ref: APP/K1128/D/16/3165736

Coombe Cottage, Bridge Road, Kingswear TQ6 0DZ

- 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 Dr D Burston against the decision of South Hams District Council.
 - The application Ref 1953/16/HHO, dated 28 June 2016, was refused by notice dated 29 September 2016.
 - The development proposed is a rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a rear extension at Coombe Cottage, Bridge Road, Kingswear TQ6 0DZ in accordance with the terms of the application, Ref 1953/16/HHO, dated 28 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5294.01, 5294.02, 5294.03, 5294.04, 5294.05, 5294.06, 5294.07.
 - 3) The recommendations, mitigation and enhancement measures of the "Preliminary Ecological Appraisal, Bat Emergence Survey & Mitigation Strategy", by Green Lane Ecology, report reference #04716/GLE, dated June 2016, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times.
 - 4) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect on the character and appearance of the area being within the South Devon Area of Outstanding Natural Beauty (the AONB).

Reasons

3. Coombe Cottage is a large detached property, set in substantial grounds on a section of rising land between the A379 and a private road. It is set a short distance back from the River Dart. The private road also forms part of the
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- public rights of way network. There a number of other large detached properties in this area of land between the A379 and the private road.
4. The property is set down from the private road with the gardens laid out in a series of terraces. It is a linear property set along the line of the hillside, but to the west is a large hard surfaced terraced structure with a garden room beneath. The property is completed in render with a thatched roof.
 5. The proposal would extend the property to the west towards the river on top of the hard surface terrace. There would be a two storey central section and two single storey elements on either side constructed in materials to match the existing property. There would also be some internal works and works to and within the garden room.
 6. The proposed extension would be a sub-ordinate extension to the existing property in that it would be set down from the main dwelling. While it would be of a similar depth as the original dwelling it would step down through the various elements. By utilising materials to match the existing property, it would integrate into the overall design and satisfactorily create a composite whole.
 7. Because the extension would be on the west side of the property there would no effect of the proposals from the private road and public right of way as there is an existing high wall along the private road boundary.
 8. From the A379 views of the proposal would be mostly obscured by a combination of the rising verge bank, boundary wall and vegetation. In certain locations existing retaining walls and the hardsurfaced terrace already provide features in the road scene and would also restrict views of the proposal. While it may be possible to view the two storey element from the A379, this would be essentially only a glimpsed view and would not be harmful in the street scene.
 9. The appeal site is located in a high quality landscape which is recognised in its designation as part of the AONB. The National Planning Policy Framework (the Framework) in paragraph 115 indicates that in such locations great weight should be given to conserving landscape and scenic beauty. Policy CS9 of the South Hams Local Development Framework Core Strategy (the CS) indicates that great weight will be given to conservation and enhancement of the AONB and this policy is thus generally consistent with the more recent national policy.
 10. As noted above shorter distance views of the proposal are limited, so that there would only be longer distance views from the other side of the River Dart or from the river itself. The distance to the other side of the river is increased because there is an inlet, or creek, roughly opposite the appeal site. Because of the distances involved, the proposals would be seen against the existing building and, through the effect of foreshortening, would not intrude into the landscape, particularly in the context of the rising land behind. The landscape and scenic beauty of the AONB would therefore be conserved.
 11. Consequently the proposal would be in keeping with the character and appearance of the area and would conserve landscape and scenic beauty in the AONB. As such it would comply with Policies CS7 and CS9 of the CS which require that development includes good design which respects the character of the site and its surroundings in order to protect the built and natural environment, and as set out above. It would also comply with Policies DP1 and

DP2 of the South Hams Local Development Framework Development Plan Document which require that development respects the South Hams character in terms of its landscape, taking account of layout, scale, appearance and materials, and conserves the South Hams landscape character. It would also comply with paragraphs 58, 64 and 115 of the Framework which states that decisions should aim to ensure that developments responds to local character, improves the character of an area and as set out above.

Conditions

12. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
13. I have also imposed a condition requiring materials to match the existing building to ensure that the development is appropriate to the character and appearance of the area and the scenic beauty of the AONB. In addition, in order to safeguard the interests of protected species, a condition requiring the development to take place in accordance with the submitted ecological mitigation strategy is necessary.
14. Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

RJ Jackson

INSPECTOR