
Appeal Decision

Site visit made on 3 May 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/P1133/D/17/3173637

14 Ringmore Road, Shaldon, Teignmouth, Devon, TQ14 0AB

- 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 Andrew Butcher against the decision of Teignbridge District Council.
 - The application Ref 16/02852/FUL, dated 12 October 2016, was refused by notice dated 12 January 2017.
 - The development proposed is creation of off-road parking space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Shaldon Conservation Area and the setting of the Grade II listed buildings at 2-10 Ringmore Road, to the east of the appeal site.

Reasons

3. The appeal property is a semi-detached house, within a line of buildings facing Ringmore Road, within the Conservation Area. Just beyond the modern house next door to the east, at no. 12, there is a distinctive listed terrace (nos 2-10) which is integral to the character and appearance of the Conservation Area in its design, detailing and form. Its continuous front wall, which is interrupted only by the modest pedestrian gateways serving each property within the terrace, is also an important feature in the Conservation Area. The boundary of no. 12 also respects the setting of the listed terrace with its front boundary wall, which is a direct continuation of the wall of the listed terrace.
4. The relevant statutory requirements in relation to this appeal are for the proposal to either preserve or enhance the character or appearance of the Conservation Area¹ and to pay special regard to the desirability of preserving or enhancing the setting of listed buildings².
5. The Appellant considers that the appeal property is of a fairly ubiquitous design and has no particular local character. He also states that the next door property at no. 12 is a modern house, which is included in the Council's Conservation Area Character Appraisal, as a building which may be inoffensive

¹ The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 (1).

² Ibid, Section 66 (1).

in scale and location, but which lacks quality in terms of detailing, materials and design, or which cause actual harm to the appearance and character of the area. The Appellant also argues that some of the frontage walls have already been replaced in the immediate area and that alien high hedges front the properties on either side of the appeal property.

6. Although the properties along Ringmore Road vary in the quality of their architecture, there is a largely consistent building line defining these properties (with the exception of no. 12 which is set further back). The largely consistent building line, together with the enclosed nature of the front boundaries by solid walls, contributes positively to the character and appearance of the Conservation Area. The walls in this part of the streetscene are still largely intact, especially to the east of the appeal site. The absence of car parking areas in these properties is also a positive visual feature, at least as far as no.16 to the west, after which the form of the streetscene is broken up by access roads and the importance of the enclosed effect diminishes.
7. The proposal for an off-road parking space would undermine the existing marked sense of enclosure in the road, and this would be exacerbated by the presence of parked cars. I therefore consider that the proposal would be insensitive to the retained character of this part of the Conservation Area. The appeal site is close enough to the listed terrace at nos. 2-10 Ringmore Road to impact on its setting; this terrace is identified in the Shaldon Conservation Area Appraisal as outstanding in architectural character, and it is my judgment that the appeal proposal would not preserve or enhance its setting.
8. Taking account of the above considerations, I conclude that the proposal would harm both the character and appearance of the Conservation Area and the setting of the listed terrace at 2-10 Ringmore Road. This would be contrary to the above mentioned statutory requirements, as well as to policy E5 of the Teignbridge Local Plan, the Shaldon Conservation Area Appraisal, and national policy as expressed in the conservation ethos in section 12 of *the Framework*³.
9. The Appellant has drawn to my attention a number of positive outcomes that he considers would result from the proposal, including surfacing the parking space with grasscrete, ensuring the space is contained by a gate, to retain the sense of enclosure, and the installation of a charging point for an electric vehicle, as well as to make reasonable provision within the curtilage for disabled persons to approach or gain access into the dwelling from the point of alighting from a vehicle conforming with Part M of the Building Regulations and the provisions of the Disability Discrimination Act 1995.
10. I am also aware that the proposal would make a minor contribution to alleviating pressure on on-street parking on Ringmore Road, close to its junction with the A379 Torquay Road. Whilst all of these outcomes would be positive, I consider that they would not outweigh the reasons that have led me to dismiss the appeal. Furthermore, permanently shutting of the gate would be difficult to enforce.
11. In conclusion, I have found that the proposal would harm the character and appearance of the Conservation Area and the setting of the nearby listed terrace, contrary to statutory requirements, the development plan, the Conservation Area Appraisal and planning policy. For the reasons given above

³ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

and having regard to all other matters raised, I conclude that the appeal should fail.

Mike Fox

INSPECTOR