
Appeal Decision

Site visit made on 13 July 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 27 July 2017

Appeal Ref: APP/P1133/D/17/3172644

**4 St Josephs Cottages, Road from Stoop Cross to Small Park Lane,
Broadhempston, Devon TQ9 6BE**

- 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 and Mrs Kirsten Collins against the decision of Teignbridge District Council.
 - The application Ref 17/00156/FUL, dated 18 January 2017, was refused by notice dated 22 March 2017.
 - The development proposed is "alterations and extension".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address of the property is confirmed on the submitted plans and correspondence as being No 4 St Josephs Cottages, rather than simply "St Josephs Cottages" as included on the planning application form. I have also taken the appellants' names from the planning application form rather than the appeal form.
3. I have used the description of the proposal from the planning application forms which was altered by the Council on its decision.

Main Issues

4. The first main issue is whether the proposed building would preserve or enhance the character or appearance of the Broadhempston Conservation Area (CA). The second is whether the setting of nearby listed buildings would be preserved.

Reasons

Conservation area

5. The appeal site is located at the end of a row of cottages close to the road that leads through Broadhempston. The CA covers a broad area which includes this row of cottages and their rear gardens as well as extensive areas on either side of the roads that lead through the village. It includes a range of buildings styles from what would appear to be a range of eras.
6. This row of cottages is of a basic traditional form which is still evident even

though there have been some alterations that may not reflect the original configuration. Apart from the chunky joinery of the front windows and the addition of a window in the gable which the appellant says is not original, the existing cottage remains reflective of a traditional, largely un-altered form. From the road, it is possible to see that the original side profile which remains unaltered and it is not possible to see the existing rear lean-to from that position. The raised rear garden has another garden area even higher to the rear which is outside of the site but within the CA. The upper storey of the dwelling and the roof can be seen from there and the adjoining cottage.

7. The cottage plays a positive part in the character and appearance of the CA when viewed from the road as well as from adjoining properties. It has some significance as a simple traditional building reflecting the history of the CA. I agree with the appellant and the Council's views that this can be considered as a non-designated heritage asset.
8. It is also agreed between the main parties that the proposed extension at the rear would dominate the building when seen from that direction. The high gable would take up much of the rear elevation and also the existing rear roof-slope. This would not be a subservient addition. This would be seen from the adjoining properties as is the existing rear extension at the other end of the terrace and which has a dominating impact. The central cottage would be sandwiched between 2 large dominating extensions. The side wall and roof of the proposed rear extension would be noticeable from the road to the front above the dense vegetation that currently exists to the side. The significant change in side profile would be apparent, even more so if the vegetation were removed. Some of this vegetation is outside of the appeal site and could not be controlled by condition. Even with the landscaping retained, the change to the rear and side profile would be harmful to the external appearance of the cottage and this harm would be noticeable from outside of the site. The circumstances of the *Burroughs Day v Bristol CC (1996)* case as referred to by the appellant were very different from this appeal.
9. The proposed front porch would be a simple lean-to structure. Elsewhere along the row of cottages, 2 different forms of porch have been constructed and this would be a third. However the structure would be a minor feature, allowing the retention of much of the existing front elevation of the building and it is accepted by the Council that there had previously been a door in this position. I do not consider that the proposed increase in size and change of style of the proposed window in the gable elevation would have a harmful impact and neither would the roof-lights. These would be minor features enabling the retention of the original form of the building.
10. The 2 storey rear extension would have a harmful impact upon the character and appearance of the existing building which is a non-designated heritage asset. This would not at least preserve the character and appearance of the CA and in these respects would not comply with Policies S1, S2, WE8 and EN5 of the Local Plan¹ (LP).

Listed buildings

11. The Listed Buildings (LBs) that the Council consider would be affected are Manor Croft on the opposite side of the road from the site and Borough

¹ Teighbridge Local Plan 2013-2033, adopted 6 May 2014

Farmhouse which is located to the west of the site.

12. Manor Croft and its distinctive surrounding wall are separated from the site by the width of the road. It would be possible to see the proposed porch in the same general scene as the front wall of the property, this would be at a substantial distance. The rear extension and other alterations would be even more difficult to notice within the setting of this building.
13. Borough Farmhouse is separated from the site by the other cottages within Josephs Cottages. The porch and other alterations would also be seen in the background behind Borough Farmhouse when viewed from the west but again, this would be at a substantial distance.
14. The proposals would make very little difference to the setting of either of the LBs. In relation to this main issue, the setting of nearby listed buildings would be preserved. This would comply in these respects with LP Policy EN5.

Other Matters

15. The proposal may lead to some improvements to the character and appearance of the cottage such as replacement timber windows and a reconfiguration of the front parking area, although little detail is provided about that. Where directly related to the new structures planning conditions could secure some of these improvements. I give moderate weight to these improvements.
16. A previous appeal was allowed in 2003 at this site for a 2 storey side and rear extension (APP/P1133/A/03/1124936). That was subsequently renewed. From the details provided, this appears to have been a substantial proposal albeit different from the current scheme. I consider that the impacts of this proposal particularly in relation to the effects as would be noticeable from adjoining properties, would be greater and more harmful.
17. These other matters and my conclusion on the second main issue, do not outweigh the harm to the significance of the non-designated heritage asset. Neither do they provide public benefits sufficient to outweigh the less than substantial harm in relation to the first main issue. The proposal would not comply with paragraphs 134 and 135 of the National Planning Policy Framework.

Conclusion

18. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR