
Appeal Decision

Site visit made on 18 July 2017

by J Wilde C Eng MICE

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

Decision date: 01 August 2017

Appeal Ref: APP/W1145/D/17/3177453

19 North Street, Northam, Devon, EX39 1DH

- 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 William Robert Peters against the decision of Torridge District Council.
 - The application Ref 1/0368/2017/FUL, dated 5 March 2017, was refused by notice dated 7 June 2017.
 - The development proposed is alterations to roof of rear annexe and installation of photo-voltaic modules in roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Northam Conservation Area.

Reasons

3. The appeal property is a detached double fronted dwelling situated within the Northam Conservation area. The area is densely developed comprising a mixture of terraced and detached dwellings with narrow roads. The proposed development would result in extra room in the roof space of the property by replacing the current pitched roof of the existing rear extension with a mansard style roof.
4. Section 72(1) of the planning (Listed Buildings and Conservation Areas) Act 1990 makes clear that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore paragraph 32 of the Planning Policy Framework (the Framework) advises that great weight should be given to a designated heritage asset's conservation.
5. To my mind the significance of the Northam Conservation Area derives from the closely packed nature of the buildings which are of a traditional form of design and architecture and which relate well to one another in terms of their heights and scale.
6. The proposed roof would be higher than the existing roof of the main part of the dwelling and would have a significantly increased mass and bulk, as well as

impinging upon the main portion of the existing dwelling when viewed from the east and west. It would tend to dominate the building and would also be completely alien in form to other roof shapes in the area.

7. It follows that the proposed development would not preserve or enhance the character or appearance of the conservation area. Whilst this harm would be less than substantial it nonetheless carries considerable importance and weight. In accordance with paragraph 134 of the Framework less than substantial harm should be weighed against any public benefits that would accrue from the development. However, I have been provided with little if any evidence to show that any actual public benefit would be realised.
8. I acknowledge that the proposed roof would have sash windows and be slate hung, but these factors do not outweigh the harm that I have identified due to its bulk, mass and design. I also acknowledge that due to the packed nature of the area the proposed development would not be readily visible from the public realm. It would however be visible from an area around the junction of Oxmon's Lane and North Street and also from the gardens and windows of some of the neighbouring dwellings, as well as from the garden of the appeal dwelling.
9. There would therefore be conflict with the Framework and also with policy ENV3 of the Torridge District Local Plan (LP), which makes clear that development within a conservation area will only be permissible where it preserves or enhances the special character or appearance of the conservation area. There would also be conflict with policies DVT6 and DVT7 of the LP. The former of these seeks to ensure, amongst other things that development maintains, restores or enhances the local vernacular whilst the latter informs that development will not be permitted unless it is compatible with the context within which it is set.
10. In arriving at this conclusion I note the appellant's grounds of appeal, which relate primarily to the way in which the Council arrived at their decision. However, I have to arrive at my conclusion in relation to the Council's reasons for refusal, and their behaviour prior to the appeal process is not a matter for this appeal.

Conclusion

11. In light of my above reasoning and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Wilde

INSPECTOR