



Appeal Decision

Site visit made on 24 October 2017

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 31st October 2017

Appeal Ref: APP/P1133/D/17/3180218

Southfields, South Street, Denbury, Newton Abbot, Devon TQ12 6DH

- 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 & Ms Arno & Elizabeth Klein & Mills against the decision of Teignbridge District Council.
 - The application Ref 17/00554/FUL, dated 24 February 2017, was refused by notice dated 26 April 2017.
 - The development proposed is replacement of timber windows and doors with UPVC windows and doors.
-

Decision

1. The appeal is allowed and planning permission is granted for replacement of timber windows and doors with UPVC windows and doors at Southfields, South Street, Denbury, Newton Abbot, Devon TQ12 6DH in accordance with the terms of the application, Ref 17/00554/FUL, dated 24 February 2017, 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: 1568/02.A, 1567/04-1, 1567/04-2, 1567/04-3 and 1567/04-4.

Main Issue

2. The main issue in the appeal is the effect of the proposed windows and doors on the character and appearance of the area including their effect on the settings of heritage assets.

Reasons

3. The appeal property is a modern detached house which is part of a small group that is set back from South Street and accessed via a private drive. The adjacent parts of South Street on both sides are within the Denbury Conservation Area but the group including the appeal property is excluded from that designation.
4. I saw on my visit that the Conservation Area is characterised by stone and rendered buildings that adjoin the street frontages. On the opposite side of South Street there is the gatehouse to Denbury Manor and an adjoining high stone boundary wall, both of which are listed at grade II as is the manor house

- beyond. The grade I listed Church of St Mary the Virgin is further along the street towards the village centre and set back from the frontage buildings.
5. The appeal dwelling is set back from the street frontage and although its front gable is quite prominent when seen through the access, the property is largely screened in oblique views from South Street because of the front boundary wall and the hedge above the wall. The side elevation of the dwelling is seen across part of the adjacent field when entering the village but the prominence of its windows and doors is limited by its distance from the street, the hedge along the side boundary and the wall along the field frontage.
 6. The position of the dwelling in relation to the street combined with the screening effect of the front boundary treatments are such that the proposal would have only a very limited effect on the settings of the Conservation Area and the listed gatehouse and boundary wall opposite. Because the church is a significant distance from the site and there are intervening buildings the proposal would have no effect on the setting of that building.
 7. The proposed windows and doors would be of a similar design and appearance to the existing windows and doors and the thicknesses and profiles of the various elements would be similar. The appellants advise that the proposed finish would not differ significantly from painted timber. I note that similar windows have been approved by the Council at Court Park which is within the group although I also note that it is to the rear of frontage development on South Street.
 8. The appellants have provided survey information regarding the proportion of UPVC windows already present in the Conservation Area and adjacent to listed buildings. I saw that the majority of buildings in the immediate vicinity have such windows. Given that the proposal would have very little effect on the settings of the identified heritage assets and given also that UPVC windows form an established part of the character of the area, the proposal would not result in appreciable harm to those assets.
 9. For these reasons I find that the proposed windows and doors are an appropriate response to the characteristics of the site and its wider context as required by policy S2 of the Teignbridge Local Plan (2014) (LP). The design and materials would be complementary to the existing building as required by policy WE8 of the LP. I find that the settings of the Conservation Area and the listed buildings would be protected as required by policy EN5 of the LP. For the reasons given I conclude that the proposed windows and doors would not harm the character and appearance of the area.
 10. I have imposed a condition requiring the development to be carried out in accordance with the approved plans in order to provide certainty.

Conclusion

11. I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR