
Appeal Decision

Site visit made on 7 August 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 August 2019

Appeal Ref: APP/J9497/W/19/3228927

The Old Fire Station, Manor Road, Chagford TQ13 8AS

- 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 Michael O'Connor of Squirrel Design against the decision of Dartmoor National Park Authority.
 - The application Ref 0561/18, dated 5 October 2018, was refused by notice dated 17 January 2019.
 - The development proposed is erection of office.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - 1) The effect on the character and appearance of the area, taking into account the setting of the Chagford Conservation Area (CA) and the wider character of Dartmoor National Park, and
 - 2) Whether the level of parking would be acceptable.

Reasons

Character and Appearance

3. The appeal site is a small undeveloped area of sloping grass, between the road and existing residential development. It is situated just beyond the dense core of the small town of Chagford, just outside the CA. Evidence before me suggests that it was previously occupied by a fire station structure and is therefore not an historic area of open space, however it has been retained as such following the development of the rest of the fire station site to the south.
4. The appeal site is addressed by two adjacent properties and provides a meaningful gap in the streetscene. Its undeveloped state relates well to the decreasing scale of the end of 1 The Old Fire Station, with its small north facing gable abutting the site and its raised terraced garden facing over the site in the southeast corner. The interesting flank elevation of Millaton, which is at a higher level and faces out over the site from the east, is currently fully revealed with its characterful stone details at the lower level and adjacent stone walls retaining various ground levels. This view has significance when the settlement core is approached from this direction. It marks the edge of the CA, and is significant to its setting. Although I accept that the site is not in public

- ownership, for the reasons above it relates well to the adjacent buildings in its current form and contributes positively to the character and appearance of the area.
5. Whilst the proposal includes some landscaping the proposed building would occupy most of the site. The proposal would have the negative effect of enclosing part of the street that has a lower density and marks the transition between the dense core of the settlement and the more spacious character of the lower part of Manor Road.
 6. Paragraph 172 of the National Planning Policy Framework (the Framework) places great weight on conserving and enhancing the scenic beauty of National Parks. When heading southwest away from the town centre the open area of the appeal site gives views out towards the moor, which is of great significance to the setting of the town. Evidence submitted shows that it would still be possible to look over the proposed building in this direction, owing to its low siting, but the structure would obscure the lower part of views in this direction, which would have an adverse impact on the interrelationship between the settlement and the landscape and scenic beauty of the park.
 7. In terms of the design of the proposed building, its form would be fairly simple, with a traditional pitched roof and narrow width to the main portion that would reflect the forms of traditional buildings in the vicinity of the site. However, the prominent gable end that would face downhill would be emphasised further by the extent of glazing, which would not relate well to the more traditional forms of window openings on buildings beyond the site, within the CA. Furthermore, I am not convinced that the narrow strip of natural stone between the top of the windows and the verge would be practical. It would be difficult to course the stone successfully without ending up with large areas of mortar, or lots of small wedges of stone. As such, the prominently positioned gable end would have a poor appearance owing to excessive areas of glazing and poor detailing.
 8. The proposal would harm the setting of the adjacent CA. In terms of Paragraph 196 of the Framework the harm would be less than substantial; however permission should only be allowed if clear public benefits outweigh against this harm. The proposal would provide a dedicated office space for a local business that invests in the local community and would create employment opportunities. I attach little weight to these matters however, as there is no evidence before me to suggest that the provision of the building is essential for the future of the business, or that it needs to be provided in this location. These public benefits are therefore not sufficient to weigh against the harm identified.
 9. Therefore, in summary the proposal would harm the character and appearance of the area, the setting of the CA, and the wider character of the Dartmoor National Park. As such it is contrary to Policies COR1 and COR4 of the Dartmoor National Park Authority Local Development Framework Core Strategy Development Plan Document adopted 2008, Policies DMD1a, DMD1b, DMD3 and DMD7 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document adopted 2013 (DMD), and the Framework, which together seek to ensure that development proposals are designed to a high quality that respond positively to existing character, including the setting of heritage assets, and do not detract from the special qualities of the National Park. The proposal would also be contrary to the

English National Parks and the Broads UK Government Vision and Circular 2010, which confers the highest status of protection as far as landscape and natural beauty is concerned; and the Dartmoor National Park Design Guide, which recognises that high quality, sympathetic and well informed design is vital to the achievement of national park purposes and the delivery of local plan policies.

Parking Provision

10. The proposal makes no provision for parking for visitors or staff. Policy DMD41 of the DMD refers to a maximum provision of 5 parking spaces for the proposal for visitors. The Council is satisfied that the lack of provision would be acceptable as the site is located close to the centre of the town, which is subject to a controlled parking zone. Furthermore, a length of controlled on street parking is marked out close to the southwest of the site.
11. I note the strength of local feeling regarding this issue. At my visit I witnessed the problems associated with traffic movements in the vicinity of the site, and was aware of the narrowing width of the highway between the site and the town centre. However, owing to the establishment of the controlled parking zone, there is significant dedicated parking close to the site and in the areas around the town centre, which would be a short walk from the site. Owing to the nature of the business, the number of visiting clients to the site would be low and should not result in a regular overspill of parking onto adjacent residential streets. Furthermore, were I to allow the appeal, a condition could be used to prevent the building from being used for an alternative use without planning permission, in the event that an alternative use may generate more visitors.
12. Paragraph 109 of the Framework refers to a severe impact on the road network. Although I accept that there will be some impact in terms of a small number of additional vehicle movements to the area as a result of the proposal, taking into account the small size of the building and the availability of dedicated parking close to the site, I cannot accept that this would amount to a severe impact on the road network.
13. Representations have been received relating to illegal parking, visibility splays and the value of the undeveloped site as a refuge for passing pedestrians. Illegal parking is an enforcement matter dealt with by other legislation. From the submitted plans and my observations on site I am satisfied that the proposal would not have an adverse effect on visibility at the junction of Manor Road and The Old Fire Station. The proposal would retain the pavement alongside the building, which would maintain an area for pedestrians that is away from passing traffic. These matters therefore carry little weight and are not sufficient to cause me to come to a different conclusion on this main issue.
14. In summary, the level of parking proposed would be acceptable, in accordance with Policy DMD41 of the DMD and Paragraph 109 of the Framework, which establishes maximum parking requirements for non-residential development and seeks to avoid severe impacts on the road network.

Other Matters

15. I note that the appellant has received officer support for the proposal. I also note that in developing the proposal subject of this appeal the appellant has

sought to address previous concerns relating to views out from the terrace of the adjacent property. These matters are however not sufficient to outweigh my findings on the first main issue.

Conclusion

16. Although I have found the proposed parking provision to be acceptable this is a neutral matter that does not outweigh the harm I have found in relation to the effect of the proposal on the character and appearance of the area. Therefore, for the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR