



Appeal Decision

Site visit made on 30 September 2019

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2019

Appeal Ref: APP/K1128/W/19/3233006

Loring View, Loring Road, Salcombe TQ8 8BL

- 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 Alan Cookson against the decision of South Hams District Council.
 - The application Ref 3131/18/FUL, dated 19 September 2018, was refused by notice dated 10 January 2019.
 - The development proposed is the demolition of dwelling and erection of 2 semi-detached dwellings with off street parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the decision was made by the Council, the Plymouth and South West Devon Joint Local Plan (2014-2034) (the Local Plan) has been adopted and the Salcombe Neighbourhood Development Plan (2018 to 2034) (the Neighbourhood Plan) has been successful at referendum and has been made. These plans now form the development plan for the area. The appellant has commented on the implications of the relevant policies from both plans during the appeal process. I am therefore satisfied that no party would be prejudiced by the consideration of the proposal against the policies of the Local Plan and the Neighbourhood Plan.
3. The Council made its decision based on amended plans, which included a lower ridge line and hipped end to the building, and I will do likewise.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area, and on the living conditions of the occupiers of The Windjammer, with particular regard to any overbearing impact.

Reasons

Character and appearance

5. Loring View is a chalet bungalow with a sizeable flat roofed front dormer. The building is attached to the adjoining shop and post office and collectively they appear as a reasonably low lying building within the street scene. The properties on the other side of Loring Road, some of which are set on a lower

- level than the road, and the properties around the junction with Raleigh Road, also tend to be modest in size and appearance.
6. The more imposing semi-detached building of High Tor and Camar, and to some extent the other properties on this side of the road up to the junction with Camperdown Road, are somewhat at odds with the general size and appearance of the other buildings in the immediate vicinity of the appeal site. While these more imposing buildings do influence the character of this part of the road, particularly because they are further up the slope, overall in my view, the appeal site has a greater affinity and a collective grouping with the generally more modest sized properties around the junction and on the other side of Loring Road.
 7. I have noted all the submissions, including the comparable heights, the number of stories, plot ratios, set back from the footway, width of plots and density of the buildings in the vicinity, which seek to justify the proposed scheme. However, from my observations on site, the scheme would introduce quite a tall building that would extend across much of the site. I appreciate that the ridge would step down to an appreciable extent from the ridge of High Tor and this would provide a transition of heights. Nevertheless, the height, form and bulk of the scheme would give rise to an overly dominant and disproportionately large building when compared to the generally more modest form of many of the buildings in the vicinity.
 8. In particular, in views from around the shop frontage and the junction with Raleigh Road, the overall size of the building would overwhelm the more modest appearance of the shop. The introduction of the space between the shop and the proposal would not overcome this harm, as the reasonably tall side wall of the building would be seen in the context of the adjoining smaller scale of the shop building. The impact on the street scene resulting from the proposal could not be adequately addressed by the provision of a landscaping scheme.
 9. For all these reasons the proposal would not accord with the National Planning Policy Framework (the Framework) requirements that developments should add to the overall quality of the area and be sympathetic to local character including the surrounding built environment.
 10. I note the argument that the present chalet bungalow is in need of substantial repair, it is said that it is unlikely to be looked after in the future and it is an unattractive and incongruous feature in Loring Road that is in need of replacement to improve the appearance of the area. The existing building can be said to appear somewhat tired and has an awkward relationship with its attachment to the shop. However, this does not justify a redevelopment scheme that would result in a building that would be unduly dominant in the street scene and undermine the character and appearance of the immediate area.
 11. The lack of rear garden depth would not be generally perceptible in the street scene such that this would cause any additional harm. Also, I am not persuaded that the external amenity space or the car parking would be substandard such that this would add to the concerns with the proposal. Nevertheless, this does not diminish the harm that I have identified above.

12. In the light of the above analysis, I conclude that the proposed development would unduly harm the character and appearance of the area. It would, therefore, conflict with Policies DEV10 and DEV20 of the Local Plan, Policy SALC B1 of the Neighbourhood Plan and the Framework which seek, amongst other things, to ensure that housing development is designed to be integrated with the adjacent developments and not appear to be an unrelated addition to the rest of the town, village and neighbourhood.

Living conditions

13. The Windjammer is located broadly to the west of the site and has a sunken area of external patio space to the rear of the dwelling. The flat roofed extensions at the rear of the shop and chalet bungalow, and the pitched roof of the shop and the roof and gable of the chalet bungalow, are visible from the patio area and the surrounding garden of The Windjammer. However, because of their height and position, together with the undeveloped space to the side of the chalet bungalow, the combined influence of these structures and other features, such as the garage, have only a limited influence on the living conditions of the occupants of The Windjammer.
14. The proposal would involve the removal of the gable section of Loring View which adjoins the boundary of The Windjammer and the replacement of the boundary wall with a fence. These matters would be beneficial, but these existing features are not unduly harmful to the living conditions of the occupants of The Windjammer because of their height and position.
15. The scheme would incorporate a single storey lean-to element adjoining part of the boundary and a higher building across the majority of the site. The height and extent of built development would be a dominant feature when viewed from the reasonably close by garden area of The Windjammer. In particular, when viewed from the sunken area of patio next to the rear of the dwelling, the proposal would impose a significant bulk of built development on a higher level which would be readily apparent. This combination of factors would result in an overbearing effect on the living conditions of the occupants of The Windjammer.
16. I have taken into account the changes which would separate the new building from the shop, the siting of the proposed building from the boundary and the slope of the roofs. A gap would be created between the shop and the new building and this would provide some relief for the occupants of The Windjammer when utilising their garden area. However, given the significant increase in the bulk of the building in reasonable proximity to the majority of the garden area of The Windjammer, this gap and the other factors which are said to be beneficial, would not offset to a meaningful or satisfactory extent the overbearing effect that would result from the other elements of the scheme.
17. That the scheme would not cause any material level of overlooking, undue overshadowing or a material impact on light to the neighbouring properties is noted. However, this would not address the harm that I have identified above in respect of the overbearing impact.
18. Accordingly, I conclude that the proposal would have an unacceptable overbearing impact on the living conditions of the occupiers of The Windjammer and, therefore, would conflict with Policies DEV1 of the Local Plan and the Framework which seek, amongst other things, to ensure that

development creates places with a high standard of amenity for existing and future users.

Other Matters

19. Notwithstanding that the Council indicate that it can now demonstrate a 5 year supply of deliverable housing land, the development would provide an additional dwelling on an existing developed site, in a built-up location with good access to local services and facilities. The development would provide 2 family sized homes, that would meet the appropriate space standards, and with off street car parking and amenity space. As the appellant would be willing to accept a principal residence condition in any approval this would help to ensure that the dwellings were occupied by permanent residents thereby contributing to the economic and social wellbeing of the area. The plans show attenuation tanks would be installed to reduce surface water runoff and this would be a positive aspect of the scheme as it would take some pressure of the existing local drainage network. These matters are all benefits of the scheme. However, as the proposal would provide only an additional dwelling, cumulatively I attribute these benefits limited weight and they do not outweigh the harm I have identified above.
20. The site lies within the South Devon Area of Outstanding Natural Beauty (AONB) where the conservation and enhancement of landscape and scenic beauty are matters which carry great weight. However, as the site lies within the settlement area, and is located amongst other buildings, notwithstanding my findings on the impact on the character and appearance of the area, the development would not adversely affect the AONB in this case.

Conclusion

21. For the above reasons, and having regard to all other matters raised, the proposal would not comply with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and the associated development plan conflict. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR