



Appeal Decision

Site visit made on 13 August 2020

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st September 2020

Appeal Ref: APP/U1105/D/20/3252358

Greystones, Road Past Northcombe Farm, Salcombe Regis EX10 0JQ

- 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 Hignett against the decision of East Devon District Council.
 - The application Ref 19/1852/FUL, dated 19 August 2019, was refused by notice dated 31 March 2020.
 - The development proposed is two storey side extension, single storey side extension (wing), new outbuilding, removal of existing garden buildings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The road to the north of the appeal site is described as the 'Road Past Northcombe Farm' on the planning application form. However, it is described as 'Dunscombe Lane' in the appeal documentation by the main parties. I have used the latter road name in my Decision.
3. The appellant submitted amended plans part way through the determination of the planning application. However, the plans were not formally accepted by the Council. In addition, the amended plans have not been provided by the appellant with only extracts being shown within the appellant's statement of case. The appeal process should not be used to evolve a scheme and it is important that I determine this appeal on the basis of what was considered by the local planning authority, and on which interested people's views were sought. Therefore, I have not had regard to the amended plans as part of the determination of this appeal.

Main Issue

4. The main issue is the effect of the proposed development on the character or appearance of the Salcombe Regis Conservation Area and on the setting of St. Peter and St. Mary's Church, which is a Grade II* listed building.

Reasons

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'LBCA Act') requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Salcombe Regis Conservation Area.

6. Section 66(1) of the LBCA Act requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
7. The National Planning Policy Framework (the 'Framework') advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and, the more important the asset, the greater the weight should be.
8. The designated heritage assets relating to this appeal are the Salcombe Regis Conservation Area (the 'SRCA') and St. Peter and St. Mary's Church, which is a Grade II* listed building.
9. Paragraph 194 of the Framework states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
10. The appeal property is a two-storey detached dwelling located on Dunscombe Lane within the SRCA. The appellant explains that the building dates from the mid-1800's and was originally constructed as a pair of farm workers homes, which were later converted into one dwelling. The building has a gable roof form with slate tiles and a stone exterior with brick window detailing, brick quoins and brick-faced buttresses to the front elevation.
11. The existing dwelling is set into the hillside with the rear boundary sloping steeply upwards from the rear elevation. To the front of the property there is a front garden, which has been cut into the hillside with a lower level below.
12. It is proposed to erect a two-storey side extension, a single-storey extension to the side/front of the host building and a new outbuilding at the front of the site. As part of the proposed development, several existing outbuildings at the appeal site would be demolished.
13. The two-storey extension would have a brick work gable end and timber cladding to the front and rear elevation at first floor. On the front elevation at first floor level there would be a set of double doors leading to a roof terrace. The roof would be finished with slate tiles and the front slope would feature an array of 'flush fit' solar panels, which would extend across to part of the roof of the host building.
14. The single storey extension would be attached to the proposed two-storey extension by a flat roof link. The extension would have an asymmetrical roof form, which would also feature 'flush fit' solar panels and would protrude to the front of the proposed two-storey extension at an angle. Externally, the extension would feature a stone plinth, timber cladding, brickwork columns and large areas of fenestration.
15. The proposed outbuilding would be sited in the western corner of the appeal site, near to the existing driveway. The outbuilding would have an asymmetrical roof form and timber clad exterior.

16. The SRCA encompasses most of the village of Salcombe Regis, apart from a small group of agricultural buildings associated with Thorn Farm and a few scattered dwellings located to the east of the village on Dunscombe Lane.
17. The Salcombe Regis Conservation Area Appraisal (1999) explains that most of the buildings within the SRCA are small cottages of vernacular origin, except for a small number of buildings which date from the mid C19. The buildings are scattered with not a hint of a formal arrangement, with the only sense of enclosure provided by the valley setting, large number of trees (particularly on the skyline above the village) and extensive boundary walls, which are mainly flint.
18. St. Peter and St. Mary's Church occupies a central position within the SRCA at the bottom of the valley amongst the historic core of Salcombe Regis, with the other buildings, including the appeal property, predominately located to the northern side of the church with the surrounding countryside beyond.
19. The design and appearance of the appeal property is in keeping with the local vernacular and the 'scattered' layout of development within Salcombe Regis. The site is located near the top of the valley behind St. Peter and St. Mary's Church and due to this location, it is visible from several viewpoints within the CA, including from Soldiers Hill, where it is viewed as part of the historic core of buildings within Salcombe Regis, which contributes to the setting of St. Peter and St. Mary's Church. Overall, the existing dwelling adds positively and distinctively to the significance of the CA and the setting of St. Peter and St. Mary's Church.
20. The significance of the Grade II* listed St. Peter and St. Mary's Church is derived from its medieval origins, with a recorded dedication date of 1259. The building displays work that stretches back to the Norman period, with Norman piers present on the northern side of the nave, with evidence of the evolution of the building during subsequent centuries throughout the church. The listing description from the Council explains that the tower screen and pulpit plain date from C18, whilst stained glass on an existing church window retain C15 fragments. There is also historic interest, as Sir Norman Lockyer, founder of a nearby observatory, is buried within the churchyard.
21. The design and access statement submitted with the appeal explains that the informal arrangement of buildings within Salcombe Regis has influenced the design approach of the proposed development. It states that the proposed material palette would complement the existing house and the SRCA, whilst providing a strong reference between old and new.
22. Whilst I recognise that the proposed development has been influenced by the scattered layout of development within the SRCA, the overall footprint and scale of the proposed extensions, in particular the single storey front/side extension, would be significant and excessive in the context of the proportions of the existing dwelling. Furthermore, owing to its position beyond the principal elevation of the host building and its angular layout, the proposed single storey extension would be a dominant feature within the streetscene when viewed from Dunscombe Lane. Consequently, the proposed extensions would fail to create a subservient relationship with the host building.
23. In terms of the proposed design, the extensive and disproportionate use of timber cladding and fenestration throughout the proposed extensions, in

addition to the asymmetrical roof form of the proposed single storey extension, would be out of keeping with the local vernacular. Therefore, the proposed extensions would have a stark and jarring appearance when viewed in the context of the host building and nearby buildings within the SRCA. Whilst the proposed solar panels, despite their 'flush fit' design, would appear as a prominent and intrusive structure within the local roofscape, in particular the solar panels located on the roof of the host building and two storey side extension.

24. Overall, the proposed extensions would be unsympathetic additions to the existing dwelling, which would unacceptably diminish the architectural integrity of the host building and cause significant harm to the character and appearance of the area.
25. The Council have expressed concerns about the design and appearance of the proposed outbuilding, in particular the asymmetrical roof form. However, the proposed outbuilding would be of a modest scale and would be sited at the bottom of the appeal site, where the level of the land is lower than the main garden. In addition, the proposed outbuilding would be screened from wider views by an adjacent outbuilding, which is located within the curtilage of the neighbouring property. As such, I find that this aspect of the development would not harm the character and appearance of the area. Despite this, the harm identified above is sufficient to justify dismissing the appeal.
26. In terms of the wider context, when viewed from an elevated position at Soldiers Hill, the proposed extensions, in particular the two-storey side extension and asymmetrical roof form of the single storey extension, for the reasons given above, would appear prominent and out of keeping when viewed in the context of the historic core of surrounding buildings within Salcombe Regis.
27. Moreover, glimpse views of the proposed incongruous two storey side extension would be visible from the street when observed from the section of road near to the church noticeboard. I recognise that an existing conservatory extension to the rear of Post Cottage, small outbuilding with a hexagonal roof form and a stone outbuilding within the church grounds, which has plastic rainwater goods and a felt roof covering, are visible from this viewpoint. However, even if I were to accept the appellant's view that these structures cause harm, such harmful impacts on the setting of the listed church and character and appearance of the SRCA, do not provide justification to allow further harm, which would result from the appeal proposal.
28. The appellant argues that the church tower would completely obscure views of the proposed extensions from Soldiers Hill. Whilst this may be the case from certain vantage points, on my site visit I observed that the proposed extensions would be visible from several locations on Soldiers Hill. Therefore, this would not mitigate the significant harm I have identified.
29. In addition to the above, the appellant explains that the existing trees and mature landscaping within the immediate surrounding area would provide significant visual screening for much of the year. However, most of the trees and mature landscaping appeared to be deciduous, which would only provide a significant screening effect in the spring and summer months when in leaf. During the winter months, the trees and landscaping would be bare and would

- provide very little screening. Moreover, the screening cannot be guaranteed in perpetuity due to factors such as disease and accidental damage.
30. The appellant has drawn my attention to a car port and storage shed that have been recently erected to the rear of the appeal site within the grounds of Northcombe Farm. He explains that the owners of the building intend to install integrated solar panels on the front roof slope of the car port in the near future.
31. I acknowledge that the buildings are of a timber construction and visible from Soldiers Hill. However, they have a pitched roof design, which is in-keeping with the local vernacular and have an incidental function and appearance to the host dwelling. Furthermore, and in any event, the existence of the outbuildings does not alter my view that the appeal site offers some positive spacious and open relief to the otherwise built up nature of the surrounding area.
32. In terms of the potential installation of solar panels on the car port, no details have been provided about the design, extent and location of the solar panels that are to be installed. Therefore, I am unable to assess the relevance of such development in relation to the appeal proposal. In any event, similar development would not provide justification to allow the harm which would result from the appeal proposal.
33. Similarly, the appellant explains that new development has been permitted at Bryer Cottage and Southcombe House. However, no substantive details have been provided about the extent of the approved works and their relevance in relation to the appeal proposal.
34. For the collective reasons outlined above, the proposed development would be harmful to the setting of St. Peter and St. Mary's Church, which is a Grade II* listed building, and would neither preserve or enhance the character or appearance of the CA, and, thus, it would be harmful to the significance of the designated heritage assets. Nevertheless, I consider that the harm would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal.
35. I recognise that the proposed development would provide additional accommodation for the occupiers of the appeal property, which would be located near to elderly relatives. However, such benefits would be principally private for the appellant.
36. The appellant explains that the interior of the property is dated, damp and in need of considerable improvement to bring it up to modern day standards. Whilst this may be the case, this does not provide a compelling reason to allow the harm which would result from the appeal proposal. Indeed, no substantive evidence has been put forward to demonstrate why repair works cannot be undertaken at the appeal property.
37. In terms of public benefits, the proposal would incorporate solar panels, which would provide a source of renewable energy. This in turn would lead to a reduction in greenhouse gas emissions, which is an environmental benefit that weighs in favour of the proposal. Furthermore, the appellant explains that the appeal property would be occupied as their main residence, as opposed to being used as a holiday let. If this were the case, the permanent occupancy of the property would likely make a positive contribution to the vitality and

viability of the facilities and services in the local area and neighbouring settlements.

38. However, such public benefits would be modest due to the quantum of development proposed. Consequently, I find that the public benefits would not be sufficient to outweigh the harm to the significance of the Salcombe Regis Conservation Area and St. Peter and St. Mary's Church, which is a Grade II* listed building.
39. In conclusion, the proposal would, therefore, fail to preserve or enhance the significance of the designated heritage assets. As such, the proposal would not accord with Policies D1, EN9 and EN10 of the East Devon Local Plan 2013 to 2031 and Policy 1 of the Sid Valley Neighbourhood Plan 2018-2032 (the 'NP') insofar as they require development proposals to respect the key characteristics and special qualities of the area in which the development is proposed; and to preserve and, where appropriate, enhance the historic environment, which includes giving great weight to the conservation of designated heritage assets.
40. In respect of this main issue, both reasons for refusal on the Council's decision notice refer to Policy 6 of the NP. However, this policy relates to neighbouring amenity, the protection of trees and the provision of landscaping. These matters are not in dispute between the parties. Consequently, I consider that the policy is not applicable in respect of the appeal proposal.
41. For the reasons given above, the proposal would also conflict with Chapter 16 of the Framework.

Other Matters

42. The appeal site is located within the East Devon Area of Outstanding Natural Beauty (the 'AONB'). In determining the application, the Council concluded that the proposal would conserve the landscape quality and natural beauty of the AONB. Based on my site visit, which also included a consideration of the proposed development in relation to the wider site context, I have no reason to disagree with the Council in respect of this matter. However, this is a matter of neutral consequence in the overall planning balance.
43. Reference has been made with regards to the Council's handling of the planning application. However, I have considered this appeal proposal on its individual planning merits only, against the adopted development plan and the Framework, and concluded that it would cause harm for the reasons set out above.

Conclusion

44. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Christopher Miell

INSPECTOR