



Appeal Decision

Site visit made on 4 August 2020

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State

Decision date: 07 September 2020

Appeal Ref: APP/K1128/D/20/3250424

2 Devon Villas, Devon Road, Salcombe TQ8 8HD

- 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 & Mrs Brian Lavender against the decision of South Hams District Council.
 - The application Ref 0313/20/HHO, dated 29 January 2020, was refused by notice dated 26 March 2020.
 - The development proposed is the construction of a garage and associated works.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Salcombe Conservation Area and whether it conserves and enhances the landscape and scenic beauty of the South Devon Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site is located within the Salcombe Conservation Area (CA), a designated heritage asset where special attention must be paid to the desirability of preserving or enhancing the character or appearance of the CA. The character and special interest of the CA primarily derives from its estuary setting, the layout of the town in response to its setting and the character and appearance of the buildings therein.
4. The appeal property, a non-designated heritage asset, is a tall three storey semi-detached Victorian villa with further accommodation in the roof space. Key positive features of the house include its strong vertical emphasis, the visual dominance of the outer front gable section of the facade and the building's traditional perpendicular plan form. A recent single storey side and rear extension has sympathetically had regard to these important characteristics.
5. In contrast, the proposed garage with terrace above, to be attached to the southern flank of the house, would have little regard to the dwelling's form and character. As the development would project beyond the front wall of the house, it would challenge the visual dominance of the gable section of the facade. The angled shape of the development would be a clear departure from

- the building's distinctive perpendicular plan form. A combination of the sizeable width and low flat roof form of the garage would also undermine the strong vertical emphasis of the house.
6. As a consequence and notwithstanding the use of matching quality render, the development would have an awkward and incongruous relationship with the house, thereby causing significant harm to its character and appearance. This inappropriate relationship would in turn be detrimental to the character and appearance of the CA, with the poor design being appreciable in public views from Devon Road given the wide vehicular access and the position of the development above the highway level.
 7. The Council further emphasises a positive feature of the property and this part of the CA is that the house sits within largely undeveloped and spacious gardens. It notes the creation of parking bays, garages and decked areas is a recognised problem in the CA, as the increasingly hard urban form results in a steady erosion of character. It also considers the creation of the garage will isolate the front and rear garden areas, thereby removing the sense that the gardens flow around the building.
 8. The existing form of the side garden, which includes an open parking area, deviates from that approved in relation to the recent side and rear extension. As the approved landscape scheme shown in the appellants' statement includes a mix of retaining walls and access steps linked to the primarily cobbled front garden area, there would be some sense of a hard urban form. Nevertheless, in combination with the soft landscaping areas shown, it would continue to be read as the gardens flowing around the building.
 9. In the proposed scheme, the garage would extend from the house across to a set of steps positioned only a short distance back from the plot boundary. Owing to the deep sideward incursion of the garage, along with the vertical separation between the proposed terrace and the front garden area by the garage's built form, the sense of the gardens flowing around the building would be lost, even if planters were provided on the terrace. The house would no longer visibly be largely set within undeveloped spacious gardens and as a consequence there would be further harm to the character and appearance of the property and the CA.
 10. The Council also states permission is sought for the creation of a new doorway in place of a window within the east elevation. The doorway had already been realised at the time of the site visit and irrespective of whether its implementation falls under the permitted development regime, it has harmed the appearance of the principal elevation of the house through the distortion of the original fenestration.
 11. While it is acknowledged that many of the properties along Devon Road already have garages, the appeal proposal has been considered on its own merits and having regard to its particular circumstances. It is also acknowledged the proposal has generated some local support, including from Salcombe Town Council. However, the proposal must be considered against extant planning policy.
 12. In light of the above, it is concluded the proposed development would have an unacceptably harmful effect on the character and appearance of the appeal

property and the CA. It would fail to preserve or enhance the character or appearance of the CA.

13. Policy DEV25 of the 2019 adopted Plymouth & South West Devon Joint Local Plan (LP) requires development proposals located within the AONB to conserve and enhance the natural beauty of the protected landscape with particular reference to its special qualities and distinctive characteristics or valued attributes. The policy reflects paragraph 172 of the National Planning Policy Framework ('the Framework'). As the historic town of Salcombe is one of the AONBs distinctive characteristics and given the identified harm to two of its heritage assets, it follows that the proposed development would fail to conserve and enhance the landscape and scenic beauty of the AONB.
14. The proposed development would therefore conflict with Policies SPT1, SPT2, SPT11, SPT12, DEV20, DEV21, DEV23 and DEV25 of the LP and Policies SALC Env1 and SALC B1 of the 2019 made Salcombe Neighbourhood Development Plan. Amongst other things, these policies seek to protect the historic and natural environment and aim to ensure high standards of design which positively contributes to local character and distinctiveness. It would also conflict with the relevant parts of the Framework which have similar objectives.
15. The Framework specifies that where a development would lead to less than substantial harm to a designated heritage asset, as would be applicable in this case, the harm should be weighed against the public benefits. The construction of the development would benefit the economy through increased employment and spending but this would not outweigh the harm to the CA. The identified private benefits are also acknowledged including; the provision of covered parking and charging facilities for electric vehicles with direct access into the house, storage for domestic items and the sitting out area provided by the terrace. However, these do not outweigh the identified harm to the non-designated heritage asset and the CA. The need for parking and turning space on the site is also recognised but this can be achieved without the development.

Conclusion

16. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

C J Ford

APPOINTED PERSON