



Appeal Decision

Site visit made on 23 June 2020

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2020

Appeal Ref: APP/K1128/W/20/3246818

1 Strand Court, Fore Street, Salcombe TQ8 8ET

- 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 Mrs Carolyn Hovey against the decision of South Hams District Council.
 - The application Ref 3678/19/HHO, dated 12 November 2019, was refused by notice dated 14 January 2020.
 - The development proposed is the installation of 2 roof dormers.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was considered by the Council as a householder application, and a householder appeal was subsequently submitted for consideration. However, given the proposal relates to external amendment of existing flatted development, the procedure was changed to the full written representations route at appeal. This followed consultation with the main parties and no party has been prejudiced by the change of procedure.
3. Although titled 'Referendum Version' the Council have confirmed that the Salcombe Neighbourhood Plan provided is that which was adopted in 2019 and referred to in their decision notice. I have therefore accepted the content of the document provided as being the adopted version in determining the appeal.
4. In an attempt to address various concerns of the Council, the appellant has provided photos of the property and surrounding area which were not before the Council when it made its decision. However, I do not consider that the interests of any party will have been prejudiced by me taking them into account in determining the appeal.

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Salcombe Conservation Area and its effect on the South Devon Area of Outstanding Natural Beauty.

Reasons

6. The appeal property is located within the central waterfront area of Salcombe, at the heart of the Salcombe Conservation Area (CA). Generally older harbour properties feature closer to the shoreline, reflecting the town's maritime past, with the town having developed up the steep slopes of the coastal hillside. The

significance of the CA is attributed to Salcombe's physical layout and evolving architectural styles over time, the historic development of the town being closely related to its location on the estuary and underlying topography.

7. The South Devon Area of Outstanding Natural Beauty (AONB) extends over the town, its special qualities not only encompassing natural characteristics such as the rolling South Devon countryside and breath-taking coast, which form Salcombe's backdrop, but also local historic cultural heritage associated with the area's past and strong vernacular architecture of traditional materials in historic settlements.
8. Legislation and national policy state that the significance of heritage assets such as the Salcombe CA should be preserved or enhanced, and great weight should be given to their protection. Similarly, protected landscapes such as AONBs should be conserved and enhanced with great weight being given to their protection.
9. The appeal property forms part of Strand Court, a mixed-use building of warehouse appearance reflecting the history of the site's use, understood to have been a covered boatyard. The long building sits perpendicular to the water and is located adjacent to Whitestrands carpark. The carpark itself provides a public space with associated seating, frontage for retail and food units as well as access to the water from pontoons and slipway. By virtue of its location, the building is clearly visible from the water and the valuable public area of the sea front. The public area being described in the CA appraisal as providing 'rare breathing space within the compact town centre'.
10. The existing building rises in a stepped form from the water's edge, the roof incorporates roof lights on the elevation fronting Whitestrands. Dormers exist on the opposite side of the appeal property although they are largely concealed from public view from the land. Consequently, albeit a relatively modern building, its sympathetic design does not detract from the CA.
11. The proposed development would replace two clusters of four rooflights with two large dormer windows, introducing two distinct projecting features to the roof space fronting the carpark. As such the proposed dormers would wholly change the character and appearance of the existing building when viewed from the public carpark and, to a lesser degree, the water. The existing roof lights form part of a clean, shallow pitched roof arrangement, in this section of stepped roof. The replacement of which with two large flat roof dormers would harmfully break this continuity. Although set away from the gable end, rather than being subservient, the proposed dormers would dominate this part of the roof. This would be at harmful odds with the existing building and detract from the setting of the CA, as the building would appear more residential in appearance than reflecting the historic use of the site.
12. Both flat and pitched roofed dormers exist nearby and across the CA. However, this in itself does not make the proposal acceptable and I have not been given the details that led to these alterations being accepted. By virtue of their distance from areas with views back to the town and wider setting of the CA, they also appear less dominant in form than that of the proposed development. The proposal would be seen readily at close quarters in this central public area of the town, drawing one's eye to the building rather than the significance of the wider CA. Similarly, no substantive evidence has been provided to show

how dormer windows would better reflect the historic past of the site or CA than the existing rooflights.

13. Notwithstanding the appellant's comments, the use of quality, matching materials to existing would not mitigate the harm identified as the proposed dormers would appear as prominent additions to the building irrespective of the materials used, departing from the traditional looking building.
14. It is also stated by the appellant that the development would not effect the tranquillity of the area or flora and fauna. Whilst such characteristics do inform the significance of the wider AONB, other facets clearly do too, including cultural heritage which the development would harm, for the reasons above.
15. The main parties refer to a previous appeal decision¹ dated 2003, relating to the amendment of pre-existing dormers on the opposite side of the property, which must be afforded weight in the decision. However, those dormers are far less conspicuous than the proposed development would be. The decision was based on a previous Development Plan and pre-dates the National Planning Policy Framework, 2019. The decision also stated that it should not be seen as precedent for other dormers on the building and that flat roof dormers are generally unattractive and inappropriate in prominent locations in conservation areas.
16. Consequently, the alterations would harm the appearance of the building, resulting in it less well reflecting the site's past and detracting from that which surrounds it and not preserving the significance of the setting of the CA. Similarly, the development would have a harmful effect on the AONB by not conserving the cultural heritage of area.
17. The development would therefore not accord with Policies SPT1 (2iii, 3V), SPT2 (10), SPT11, DEV20 (2,3,4) and DEV23 (1,2,3,7) of the Plymouth & Southwest Devon Joint Local Plan 2014-2034, adopted 2019 (Local Plan) which all seek to ensure development, irrespective of size, respects and strengthens local distinctiveness and protects heritage assets. Policy DEV21 (1,2,6) seeks to ensure, amongst other things that great weight is given to the protection of designated heritage assets, as such the development would not accord with this policy. The development would not accord with SPT12 (4) or DEV25 (2,3,8) of the Local Plan which amongst other things seeks to conserve and enhance the AONB.
18. The development would not accord with policies SALC ENV1 (a,b) and SALC B1(1,2a) of the Salcombe Neighbourhood Plan, 2019, which seek amongst other things to protect and enhance the landscape, and ensure development integrates with its surrounds.
19. The development would not be sympathetic to local character and the surrounding built environment setting and would not accord with the National Planning Policy Framework, 2019, (the Framework), objectives of sustainable development and achieving well-designed places when read as a whole.
20. Although harmful to its surroundings, the harm to the CA would be less than substantial. This would still represent a harmful effect, adversely affecting the significance of the CA. Less than substantial weight should be weighed against the public benefits of the proposal. There would be minor economic benefit

¹ APP/K1128/A/03/1109682

during construction of the proposal. The benefits outlined by the appellant regarding additional head room in the property and less noise being created by rain being of private rather than public benefit. However, the harm to the conservation area would clearly outweigh the identified public benefit.

Other matters

21. It is understood that several properties in nearby Fore Street are Grade II listed, the closest to the proposed development being Nos 24-28, which sit behind the site. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to ensure the setting of listed buildings are preserved. Although I have had special regard to the setting of the buildings, given my conclusion on the main issue, the matter has not been determinative in my consideration of the appeal.
22. The appellant states that the development would not impinge on the living conditions of others or on views of the estuary. However, this neutral consideration is outweighed by the harm identified above.

Conclusion

23. For the reasons above, having considered the Development Plan and Framework as a whole, the proposed development would fail to preserve or enhance the character or appearance of the Conservation Area, and harm the AONB. Therefore, the appeal is dismissed.

M Scriven

INSPECTOR