
Appeal Decisions

Site visit made on 17 November 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal A Ref: APP/P1133/W/20/3256320

86 Queen Street, Newton Abbot, Devon TQ12 2ET

- 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 Marcel Massey against the decision of Teignbridge District Council.
 - The application Ref: 20/00314/FUL, dated 6 March 2020, was refused by notice dated 30 April 2020.
 - The development proposed is new aluminium door to separate shop from first and second floor, with internal passageway.
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Appeal B Ref: APP/P1133/Y/20/3256321

86 Queen Street, Newton Abbot, Devon TQ12 2ET

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Marcel Massey against the decision of Teignbridge District Council.
 - The application Ref: 20/00440/LBC, dated 6 March 2020, was refused by notice dated 30 April 2020
 - The works proposed are new aluminium door to separate shop from first and second floor, with internal passageway.
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Decision – Appeal A

1. The appeal is allowed, and planning permission is granted for new aluminium door to separate shop front from first and second floor, with internal passageway at 86 Queen Street, Newton Abbot, Devon TQ12 2ET in accordance with the terms of the application, Ref: 20/00314/FUL, dated 6 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 0086/001 and 0086/002.

Decision – Appeal B

2. The appeal is allowed, and listed building consent is granted for new aluminium door to separate shop front from first and second floor, with internal passageway at 86 Queen Street, Newton Abbot, Devon TQ12 2ET in accordance with the terms of the application, Ref: 20/00440/LBC, dated 6 March 2020, and the plans submitted with it, subject to the following condition:

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

Preliminary Matter

3. The appeals relate to the same scheme under different legislation. I have dealt with both appeals together in my reasoning.

Main Issue

4. The effect of the proposal upon the significance of the grade II listed building, known as 84-94 Queen Street.

Reasons

5. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
6. The appeal building is part of a listed terrace comprising six substantial three storey buildings. Each has a shopfront at street level, with a tripartite sash window above on each floor, with arched heads. The building has architectural significance derived from its substantially complete terrace design, with simple but precise detailing.
7. Despite the uniform appearance of the upper storeys the shopfronts differ significantly. The traditional shopfront of the adjacent unit, No. 84, contributes to the architectural interest of the building. In contrast the modern appearance of the shopfront at the appeal site, with its plain aluminium frame, lack of stall riser and large fascia, does not contribute to the building's interest.
8. The proposal would see an additional single aluminium door added to the shopfront, to provide separate access to the upper floors of the building. The existing double door within the shopfront is offset and therefore at odds with the symmetrical arrangement of windows above at first and second floor level. The fitting of an additional door to one side of the shopfront would not cause any further harm to the building's symmetry. Its installation would not be any more prominent than the existing elements of the modern shopfront, or indeed make the existing shopfront more prominent than it currently is.
9. The works would also see a new partition formed internally to provide separate access from the new door to the existing staircase. This would not be harmful owing to the limited historic significance of the retail space at the front of the building, with its modern ceiling and wall linings.
10. In summary, the installation of the additional door and the erection of a simple linear partition would not cause harm or further degrade the character of the building. The proposal would thus preserve the special interest of the listed building, in accordance with the requirements of the LBCA and paragraph 193 of the National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets. It would also accord with Policies S2, EC9 and EN5 of the Teignbridge Local Plan 2013 – 2033, which seek to ensure that development proposals are designed to a high quality and protect the area's heritage.

Other Matters

11. A conservation area focused on Courtenay Park is to the south of the site. As the appeal site is sufficiently distant from the designated area and the proposal is of a small scale, I am satisfied that it would not harm the setting of the conservation area.

Conditions

12. I have had regard to the planning conditions suggested by the Council. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty.

Conclusion

13. For the reasons above, the appeals should be allowed.

Andrew Tucker

INSPECTOR