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## 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: 30 November 2020**

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### **Appeal A Ref: APP/P1133/W/20/3255503**

#### **Little Grange, Croft Road, Ipplepen TQ12 5SS**

- 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 Simon Tuckett against the decision of Teignbridge District Council.
  - The application Ref 20/00664/FUL, dated 27 April 2020, was refused by notice dated 19 June 2020.
  - The development proposed is relocation / rebuilding of boundary walls to form off-street parking area.
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### **Appeal B Ref: APP/P1133/Y/20/3255508**

#### **Little Grange, Croft Road, Ipplepen TQ12 5SS**

- 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 Simon Tuckett against the decision of Teignbridge District Council.
  - The application Ref 20/00663/LBC, dated 27 April 2020, was refused by notice dated 19 June 2020.
  - The work proposed is relocation / rebuilding of existing front boundary wall.
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## **Decisions**

### **Appeal A**

1. The appeal is dismissed.

### **Appeal B**

2. The appeal is dismissed.

## **Preliminary Matters**

3. The appeals relate to the same scheme under different legislation. I have dealt with both appeals together in my reasoning.
4. Although the walls are not mentioned in the list description, provision 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) defines a listed building as a building included in the list and any object or structure fixed to the building, or any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948. The walls are within the curtilage of the building and would appear to have been since 1 July 1948. As such they

are listed to the same extent and with the same level of protection as the principal building.

### **Main Issue**

5. The main issue for both appeals is the effect of the proposal upon the significance of the grade II listed building (known as Little Grange) and the character and appearance of the area.

### **Reasons**

6. Sections 16(2) and 66(1) of the 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.
7. The appeal building is a broad fronted former farmhouse. It has a vernacular appearance derived from an informal arrangement of openings and a dominant lateral chimney stack with significant areas of blank wall to its front elevation. Its appearance at the front is enhanced by simple low rubble stone walls that enclose a front garden. Both walls return along the side of a path that provides access to the front door. The simple vernacular appearance of the building, enhanced at the front by the simple functional arrangement of stone walls, gives the building architectural significance.
8. The building sits at the edge of a small group of historic buildings. Together the buildings form a pleasant historic group. They are closely related and unified along the west side of the road by a consistent arrangement of stone walls against the road edge. This group contrasts starkly with the surrounding 20<sup>th</sup> century expansion of the settlement.
9. The works would see the stone walls along the road edge rebuilt further back to allow occupiers of the dwelling to park vehicles off the highway. New walls would be erected either side of the shortened path in a simple linear arrangement parallel to the road. The proposal would ensure that the front area is still enclosed and would maintain separation between parked vehicles and the front garden.
10. I accept that the existing walls are unlikely to be as old as the principal building, and may well have been substantially repaired or altered since they were built. However, the 1888 OS map shows that the front garden of the building and the front area of adjacent properties has been defined in this manner since at least the end of the 19<sup>th</sup> century, and there is no evidence before me to suggest that the arrangement has ever been different. This increases the significance of the existing walls, as they represent part of the long established historic setting of the building.
11. The proposal would significantly shorten the depth of the front garden, which would harm the setting of the building by reducing the uninterrupted space between the road and the dwelling. Furthermore, the creation of a strip of parking would represent urban creep whereby the modern character of the surrounding development, particularly that to the north of the site which is largely car dominated with on plot parking areas and garaging, would extend into the immediate environs of the listed building and historic building group. The set back section of wall would be at odds with the consistent alignment of stone walls to the south. The proposal would therefore cause a considerable

level of harm to the significance of the listed building and the character and appearance of the historic building group.

12. I appreciate that there may be examples of other listed buildings with parking on front gardens or forecourts. However, I must assess the proposal on its own merits, taking into account the individual character of the listed building and its setting. It is suggested that the principal building has been substantially improved and enhanced in recent years by the current owner, however this has no bearing on the acceptability of the proposal.
13. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
14. It is suggested that the proposal would address the poor repair of the existing walls and would remove the existing length of concrete capping. Rebuilding the existing wall with cock and hen coping would be a public benefit. At my visit I could see that some repair was required, however this appeared to be quite limited. Furthermore, the existing concrete capping, although a modern detail, is well weathered and not overly harmful. Therefore, this benefit would be limited and would be significantly outweighed by the harmful impact of moving the walls from their historic position.
15. At my visit to the site I could see that on road parking in the immediate area of the site was limited, and that cars were not parked safely with many occupying a significant part of the pavement or parked on the adjacent road junction. I accept that parking cars in this manner can make it difficult for emergency and commercial vehicles to use the highway, and can present a hazard to pedestrians. This situation would be modestly eased by the proposal which would be a public benefit, however the benefit would be limited as it would not change the situation along the adjacent tight section of road.
16. The proposal would provide occupiers of the appeal property with car parking, which would be a private benefit. Very little additional on road parking would be made available to other residents as the opposite stretch of pavement, where it would be potentially easier to park as a result of the proposal, is dropped to allow access to driveways. As such on road parking here could only be used by these properties, the benefit of which would be limited as they already have off road parking. At my site I also saw that safer on road parking was available on adjacent roads close to the site. Therefore, I give this public benefit little weight. In combination the public benefits of the proposal would not be sufficient to outweigh the degree of harm identified.
17. In summary, I find that the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the architectural interest of the listed building. It would also harm the character and appearance of the area, contrary to Policies S1, S2, WE8 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.

**Conclusion**

18. For the reasons above, both of the appeals are dismissed.

*Andrew Tucker*

INSPECTOR