



Appeal Decision

Site Visit made on 1 December 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/Q1153/D/20/3259436
33 Fore Street, North Tawton EX20 2DT

- 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 C Peck against the decision of West Devon Borough Council.
 - The application Ref 0289/20/HHO, dated 24 January 2020, was refused by notice dated 21 August 2020.
 - The development proposed is to remove part of front wall to create off road parking space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect of the development on the character and appearance of the area, including the settings of the Conservation Area (the CA) and listed buildings; and,
 - b) The impact of the development on parking provision in the town.

Reasons

Character and appearance

3. 33 Fore Street is a mid-terraced house in a group of four that are broadly symmetrical, including arched doorways and a shared hipped roof with brick chimney stacks. The buildings are set back from the road behind front gardens that are enclosed by a roadside stone wall, punctuated by pedestrian access gates. The terrace occupies a transitional site between the historic terraced buildings that are closely aligned to the village street in the CA to the east, and the more recent, and less formally arranged housing to the west. The site therefore has an important role to play in the setting of the CA.
4. The terrace is set back from the road, unlike the houses in the CA. However, the stone boundary wall on the pavement edge retains a sense of enclosure to the street scene, in common with the character of the CA. This stone wall is part of an almost continuous feature that runs from the frontage of No 31 for about 150 metres to the west. Although it is breached in places to allow access to side roads, it is a unifying feature that has the effect of linking the more diverse housing to the west to the historic village core. Although part of the wall would be retained, the loss of a substantial section would diminish the

- contribution it makes to the cohesion of the street scene, to the detriment of the character and appearance of the area.
5. The wall can be seen from within the CA when looking westwards along Fore Street. It extends the characteristic sense of enclosure in the street scene beyond the boundary of the heritage asset. It therefore makes a positive contribution to the significance of the CA. The wall itself may, to some extent, be obscured by parked cars in these views, but they follow the line of the wall, so the enclosure of the street is still evident. Cars parked in the front garden would breach this clearly defined boundary, and would be intrusive in views out of the CA, which would be harmful to its setting.
 6. There are two pairs of listed buildings on the opposite side of the road; 60-62 and 66-68 Fore Street. The wall is seen in close association with these heritage assets in views along Fore Street from both directions, and therefore forms part of their settings. The legislation¹ requires me to have special regard to the desirability of preserving these buildings or their settings, or any features of special architectural or historic interest which they possess. Both listed buildings front the village street, and the significance of their settings is derived, in part, from the distinctive sense of enclosure in the street scene. The diminution of this characteristic would therefore be harmful to their settings.
 7. The harm that would arise to the settings of the heritage assets would be less than substantial within the meaning of Paragraph 193 of the National Planning Policy Framework (the Framework). However, less than substantial harm does not mean less than substantial weight should be afforded to this harm. Rather, as the Framework sets out, great weight should be given to the conservation of designated heritage assets, and any harm to their significance through development within their settings, should require clear and convincing justification.
 8. The Framework advises that less than substantial harm should be weighed against the public benefits of the proposal. The provision of off-street parking could be considered such a benefit, if it resulted in greater availability of public on-street parking. However, in view of my findings under the second main issue, there would not be any significant benefit in this regard. The less than substantial harm to the heritage assets would not, therefore, be outweighed by any public benefits associated with the development.
 9. In arriving at my decision, I have taken into account that No 31 has a vehicular access. However, this serves a driveway to the side of the house, so the front garden is still enclosed by the stone wall. It is not, therefore, directly comparable. I also saw that there is an open parking area in front of the veterinary practice on the opposite side of the road. I am not aware, from the evidence, of the planning circumstances relating to this site, or whether this involved the removal of a boundary wall at some time in the past. However, it is uncharacteristic of the area and does not make a positive contribution to the setting of the heritage assets, so does not weigh in favour of the appeal proposal.
 10. I therefore conclude that the development would harm the character and appearance of the area, including the settings of the CA and listed buildings. Consequently, it would conflict with Policies DEV20, DEV21 and DEV23 of the

¹ Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990

Plymouth & South West Devon Joint Local Plan 2014-2034. Taken together, these policies seek to ensure that development contributes positively to the townscape and conserves designated heritage assets and their settings.

Parking provision

11. In view of the enclosed character of the street, many properties in the area, including the appeal site, do not have off-street car-parking facilities. This results in a significant degree of on-street parking in the CA along the north side of Fore Street, and along the south side of the road in front of the appeal site and further westwards. The proposal would provide off-street parking for the occupants, so they would no longer be competing for on-street spaces. The appellant suggests that the parking area could accommodate two cars, although no evidence has been provided to demonstrate that this would be possible.
12. The creation of the access would result in the loss of an on-street space, so, if only one car could be parked on the site, there would be no net gain in the general amount of car-parking available in the area. However, equally, there would be no loss. Either way, the proposal would not significantly affect on-street car-parking capacity. I therefore find that the development would have a neutral impact on parking provision in the town.

Conclusion

13. Although the proposal would not have a harmful impact on the availability of car-parking in the town, this does not outweigh the harm that I have found to the character and appearance of the area, including the settings of the CA and listed buildings. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR