



Appeal Decision

Site Visit made on 25 May 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 June 2021

Appeal Ref: APP/U1105/D/21/3268793

Greystones, Dunscombe Lane, Salcombe Regis EX10 0JQ

- 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 Hignett against the decision of East Devon District Council.
- The application Ref 20/1129/FUL, dated 4 June 2020, was refused by notice dated 20 November 2020.
- The development proposed is two storey side extension, single storey extension wing.

Decision

1. The appeal is allowed, and planning permission is granted for two storey side extension, single storey extension wing, at Greystones, Dunscombe Lane, Salcombe Regis EX10 0JQ, in accordance with the terms of the application, Ref: 20/1129/FUL, dated 4 June 2020, subject to the conditions in the attached schedule.

Procedural Matter

2. The road to the north of the appeal site is described as 'Road Past Northcombe Farm' on the application form. However, it is more accurately referred to as Dunscombe Lane in the appeal submissions. I have used Dunscombe Lane in my Decision.

Main Issue

3. The effect of the proposal on the character and appearance of the area, including the Salcombe Regis Conservation Area and the setting of the grade II* listed building known as the Church of St Peter and St Mary.

Reasons

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. The appeal building stands within the Salcombe Regis Conservation Area (SRCA). The SRCA takes in most of the small settlement. The buildings are mostly small cottages of vernacular appearance in a variety of styles, arranged in a scattered but close-knit manner. The SRCA is dominated by its intimate setting towards the head of the Salcombe Valley, with the sides of the valley

rising steeply to the north, east and west. The tight knit arrangement of built form, most of which is traditional in character, and the valley setting contribute to the significance of the SRCA and the general character and appearance of the area.

6. The Church of St Peter and St Mary stands prominently within the centre of the SRCA. It dates mainly from the 12th and 13th centuries, and its prominent tower and stair turret can be seen throughout the SRCA. The valley setting of the SRCA, and the character and appearance of the other buildings that make up the village, contribute significantly to the setting of the Church.
7. The appeal building is a modest stone cottage positioned end on to the road, in a manner that is typical of buildings within the SRCA. At the rear it presents itself to the adjacent road with a modest façade with limited openings and a lean-to that is part buried by the rising hillside. The front elevation is arranged with more formality, with a pleasant rhythm of evenly spaced timber casement windows with brick surrounds set into exposed rubble stone walls. Owing to the falling topography to the southwest the building is prominent to view from the lane to the west. It is also a significant component of the historic core of the SRCA when viewed from the rising land of Soldiers Hill to the southwest. From here there are numerous opportunities to view the building in the context of both the SRCA and the Church, where its traditional form and materials add positively to the significance of the SRCA and setting of the Church.
8. The proposal would see an extension added to the south end of the existing building, echoing its full two storey form. This would include an extension at the rear over the existing lean-to. The Council accepts this element of the scheme, although suggests that it would be improved by the addition of a break in the ridge line.
9. The proposed addition at the rear would maintain the simple vernacular appearance of the building, that turns its back on the rising hillside. Limited openings within the roof and a simple rendered finish would be appropriate. I am satisfied that this arrangement would preserve the character and appearance of the SRCA.
10. The impact of the proposal on the front of the building, which faces west and is prominent to view, is more significant. However, the addition in length is modest when compared with the overall length of the existing building. Facing this part of the proposal in natural stone would ensure that it would sit comfortably alongside the existing building without the intrusion of a new material as previously proposed. Openings are appropriately proportioned and spaced to maintain the rhythm of the existing façade.
11. I accept that lowering the ridge would serve to further identify the extension as a clear addition to the existing building. However, I am satisfied that the retention of the existing chimney and brick quoins, which both mark the position of the existing gable end, and the inevitable difference between new stonework and existing stonework would be sufficient to identify it as a further phase of development alongside the original building. The retention of the existing brick quoin, which is a key feature of the simple symmetrical appearance of the existing façade, could be secured by an appropriately worded condition.

12. The proposal would also see a large extension to the front of the building. This would be single storey in form and would be offset from the two storey extension so that it would in part be set back against the rear of the plot and into the hillside. Although to the front, it would not extend off the original part of the building and would relate to the rear edge of the plot. It would be set well back from the road and would be finished in a palette of materials that directly reflect those of the existing building. Its north face, which would face towards the road, would have some areas of full height glazing without the glazing bars of the original building, however these would be set back between masonry piers that would echo the appearance and scale of the buttresses on the front of the existing building. As a consequence, the more contemporary approach to this face of the building would not be so assertive or so alien to the SRCA that it would fail to preserve its character or appearance, particularly as the whole would be set under a traditional pitched slate covered roof, defined at its western end with a masonry chimney.
13. A small section of roof where the two-storey extension and single storey extension meet would be cut away to form a balcony to serve the master bedroom. Whilst this is not a feature that is commonly seen in the SRCA, it would be small in scale and set between traditional built forms, set back from the lane. I am satisfied that it would not have a harmful appearance.
14. The Council has raised concern about the appearance of the proposed solar panels along the rear facing roof of the single-story extension. From my assessment of the proposal and the building's setting on site I could not see that these would be harmful.
15. The single storey part would face towards the Church with a simple symmetrical masonry gable. Although visible from the environs of the Church its traditional form would ensure that it would appear out of place. Similarly, where the two-storey part would be viewed from the area outside the Church its continuation of the form and materials of the existing building would not be harmful.
16. The single storey extension would have little impact on wider views, including the ascending view from Soldiers Hill. From this perspective the two-storey extension would be more prominent. However, its simple form and in particular its matching materials and rhythm of openings would mean that it would preserve the character and appearance of these wider views and would not harm the setting of the Church.
17. I note that this appeal follows a proposal for a similar scheme, that was subsequently dismissed at appeal¹. Although I do not have details of that scheme before me, I do have a copy of the previous appeal decision and a detailed comparison between the previous scheme and the current proposal from the Council. The evidence before me makes it clear that there are significant material differences between the two proposals. These include a reduction to the scale of the proposal and alterations to its layout; changes to the walling materials so that they better reflect the materials of the existing building and those found commonly within the SRCA; the removal of solar panels from the main roof; and fenestration changes to the west face of the two storey part that the Council accepts better reflect the existing elevation. I have found that the current appeal proposal would not have a stark or jarring

¹ APP/U1105/D/20/3252358

appearance, and neither would it be out of keeping. I am thus satisfied that an outcome that is different to that of the previous Inspector is justified.

18. In summary, the proposal would not harm the character or appearance of the SRCA or the setting of the listed building. It would thus accord 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 D1, EN9 and EN10 of the East Devon Local Plan 2013 to 2031 and Policies 1, 6 and 7 of the Sid Valley Neighbourhood Plan 2018-2032 (SVNP), which together seek to ensure that development proposals are designed to a high standard that complement local distinctiveness and do not adversely affect the historic character of the area.
19. It is suggested in the submissions before me that the proposal is contrary to Policy 9 of the SVNP. This Policy is however not relevant to the proposal as it relates to the delivery of new housing, rather than residential extensions.

Other Matters

20. The appeal site is within the East Devon Area of Outstanding Natural Beauty (AONB). The statutory purpose of AONBs is to conserve and enhance the natural beauty of the area. Paragraph 172 of the Framework establishes that great weight should be given to conserving and enhancing the scenic beauty in AONBs. The proposal is within the residential context of the village and would not result in an encroachment of built form into the open countryside of the AONB. It is of a modest scale in relation to the built form of the existing settlement, and I have found that it would not be harmful where seen in wider views that also take into account the wider landscape setting of the village. I am satisfied that it would conserve the scenic beauty of the AONB.
21. The nearest existing dwellings are to the north, on the opposite side of the road. The single storey extension would face towards these dwellings. This would include ground floor openings as well as the small roof mounted balcony. The distance is sufficient to ensure that any outlook in this direction would not harm the living conditions of the occupiers of these dwellings.
22. Comments before me suggest that the proposal would result in noise and disruption during the construction phase that would harm the living conditions of the occupiers of nearby dwellings. I note however that the development is limited to extensions to the existing dwelling and the dwelling benefits from areas of garden that could be used for the storage of materials and a driveway for construction vehicles and deliveries. As a result, the short-term impact of the construction process would not be so harmful to the occupiers of neighbouring dwellings that a condition to manage such activity would be necessary. Neither are neighbouring dwellings are not so close that a condition to limit working hours would be necessary.

Conditions

23. I have had regard to the planning conditions suggested by the Council. I have considered the conditions 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. I have imposed additional conditions to ensure that the proposal is appropriately detailed and finished to avoid

causing harm to the character and appearance of the SRCA or the setting of the listed Church.

Conclusion

24. For the reasons above, the appeal should be allowed.

A Tucker

INSPECTOR

Schedule of 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: TQRQM19231123128592 / 1293, 1293-1 01 and 1293-1 02.
- 3) No development shall take place above ground level until details of the junction between the southwest corner of the existing building and the two-storey extension hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate how the existing brick quoin will be retained to maintain a visual distinction between the existing building and the two-storey extension hereby approved. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place above ground level until details of the design of the windows, doors and rooflights, including plans/elevations/drawings at a scale of at least 1:5 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) No development shall take place above ground level until a sample panel of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials (including roofing and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
- 6) No development shall take place above ground level until details of the design of the roof eaves and verge, including plans/elevations/drawings at a scale of at least 1:5 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.