



Appeal Decision

Site visit made on 8 February 2022

by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 01 March 2022

Appeal Ref: APP/K1128/D/21/3282106

2 Erme Bridge Cottages, Totnes Road to School Road, Ermington PL21 9NN

- 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 Tony Hopwood against the decision of South Hams District Council.
 - The application Ref 0887/21/HHO, dated 9 March 2021, was refused by notice dated 9 June 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Ermington Conservation Area (the Conservation Area).

Reasons

3. The appeal building is a two storey dwelling which is the middle cottage within a terrace of three houses. The appeal site is located within the Conservation Area, and I would concur with the findings of the Inspector in a recent appeal¹ concerning this site, that this part of the Conservation Area plays an important role in connecting the historic core of Ermington to its surrounding countryside setting. The Conservation Area appraisal identifies the appeal dwelling, and its neighbours forming the abovementioned terrace, as having a positive impact.
4. Whilst noting the extensions to the side of both end houses of the terrace, the southern elevations of the cottages are of traditional design and consistent in terms of the architectural features such as the prominent stone lintels positioned over simple window openings. In my view, the formal appearance and general consistency of the southern elevations of the terraced dwellings, makes a positive contribution to the character and appearance of the Conservation Area.
5. Whilst it is acknowledged that the southern elevation of the cottage is not highly visible from within the surrounding area, the appeal scheme would be visible from garden amenity spaces at the neighbouring properties, and which are located within the Conservation Area.

¹ Appeal Reference: APP/K1128/D/18/3215977

6. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in reaching this decision. Moreover, paragraph 199 of the National Planning Policy Framework (July 2021) (the Framework) states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to Designated Heritage Assets should require clear and convincing justification in line with paragraph 200 of the Framework.
7. The scheme would comprise a single storey extension on the southern elevation of the appeal dwelling. The extension would occupy almost the full width of this elevation at the dwelling, and would be constructed in a variety of materials to include a zinc roof finish, vertical timber cladding and steel framed rooflights. The proposal would incorporate a slate roof finish to part of the extension which would somewhat replicate the appearance of the porch structure that exists on the southern elevation of the dwelling.
8. I acknowledge that great thought has been put into the design of the appeal proposal. However, by reason of the complicated roof design to include flat and sloping elements, and the use of materials that would be in stark contrast with those used on the existing cottages, the proposed extension would dominate the southern elevation, detracting from the simple traditional and uniform appearance of the terrace of cottages which, individually and as a group, contribute positively to the character and appearance of the Conservation Area. Whilst I note that the design is intended to allow for architectural features such as the abovementioned stone lintels to remain visible, the complicated design and use of contrasting materials would draw the eye away from those features, diminishing the positive contribution that those features make to the character and appearance of the host dwelling and to the Conservation Area.
9. For these reasons, I find that the appeal scheme neither preserves nor enhances the character or appearance of the Conservation Area. The affected elevation of the host dwelling is not highly prominent in views from within the wider surrounding area and the effects of the appeal scheme are relatively localised. Within the terms of the Framework the harm arising may fairly be described as less than substantial, and in my view relatively limited due to the prominence of the southern elevation of the appeal dwelling in views from within the wider surrounding Conservation Area.
10. Nevertheless, the proposal would fail to preserve the character or appearance of the Conservation Area and less than substantial harm does not equate to less than a substantial objection. Moreover, as noted above, the Framework makes clear that any harm to the significance of a designated heritage asset should require clear and convincing justification. Accordingly, and in line with the provisions of paragraph 202 of the Framework, this harm should be weighed against the public benefits of the scheme.
11. Whilst I sympathise with the Appellant's wish to provide additional living space at the appeal property and thereby provide optimum use for the Appellant and his family, that benefit is essentially personal in nature. Nonetheless, I have also considered that the proposed extension would provide some limited economic benefits by providing employment opportunities during construction. However, in my view, the benefits of the scheme as put to me by the Appellant

would not outweigh the identified harm that would be caused to the Conservation Area, to which I attach great weight.

12. In relation to this main issue, for the reasons given above, I conclude that the appeal proposal would be harmful to the character and appearance of the Conservation Area. The appeal proposal would conflict with Policies DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan (March 2019) which, together and amongst other matters, seek to ensure new development contributes positively to townscape, and conserves and, where appropriate, enhances the historic environment. Furthermore, the appeal scheme would fail to accord with those paragraphs of the Framework which concern the conservation and enhancement of the historic environment.
13. I acknowledge the Appellant's submissions with regards to a certificate of lawfulness for the siting of a caravan at the appeal site. Whilst the siting of such a structure would also be likely to have an adverse impact on the character and appearance of the Conservation Area, consistent with the Inspector's finding in relation to a second recent appeal² at the site, such a movable structure that was not attached to the host building would not have the same degree of permanence and would not have the same lasting effect on the dwelling which makes a positive contribution to the character and appearance of the Conservation Area. I also acknowledge the time and money which the Appellant has invested in the proposal to this point. However, while I sympathise with those circumstances, they are not sufficient to outweigh the harm which I have identified.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Mr A Spencer-Peet

INSPECTOR

² Appeal Reference: APP/K1128/D/21/3271219