

Appeal Decision

Site visit made on 23 May 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH June 2022

Appeal Ref: APP/K1128/D/22/3292226

Matford, Fore Street, Aveton Gifford, TQ7 4JH

- 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 Peter Smith against the decision of South Hams District Council.
 - The application Ref 3908/21/HHO, dated 15 October 2021, was refused by notice dated 24 December 2021.
 - The development proposed is the creation of on-site parking at front of property to allow an electric car to be safely parked and charged off road.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

Character and appearance

3. The appeal property is a detached two storey house that appears as a bungalow from Fore Street owing to a change in levels down towards a stream at the rear. There is a narrow front garden bounded by a low wall with metal railings on top. Aveton Gifford is an attractive village with a distinctive character and pleasing appearance with at its core varied properties generally fronting very close to Fore Street and creating a sense of enclosure. The appeal property (along with its neighbour) are something of anomalies on this stretch of road with the former being twentieth century in origin and both set back a little off the street. Parking provision is clearly limited and available at intervals along Fore Street. The proposal is as described above and would encompass removal of part of the stretch of front wall and railings and hard surfacing works.
 4. The site lies within an Area of Outstanding Natural Beauty. I would agree with the Appellant that given the built-up context there would be no harm arising on this front nor breach of any planning policy or guidance which seeks AONB protection. Thus, despite references by the Council, I need consider this wider landscape matter no further.
 5. The site also lies within the Aveton Gifford Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation
-

Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected within Policy DEV21 of the Plymouth & South West Devon Joint Local Plan (LP). Additionally, amongst other matters, LP Policy DEV23 also seeks to generally conserve and enhance townscape. In parallel, the Aveton Gifford Neighbourhood Plan (NP) calls for decisions relating to heritage assets to follow local and national planning policy.

6. Whilst the appeal property and its disposition does not follow the normal grain locally, this quirk in the streetscene does presently add positively to the Conservation Area in my opinion. It is interesting and pleasing to see the railings, the garden, the landfall, and the attractive front elevation in an uninterrupted and unified way. The removal of part of the run of railings would be regrettable visually. The scene of a car immediately adjacent to the appeal property, shielding it in part, and close to the frontage of the right angled adjacent property, whilst all prominent from the street would also markedly reduce the pleasant aspect which presently exists. As a rule open hard surfaces for parking are less aesthetically beneficial than garden planting and cars in close proximity to elevations detract from their appearance in the streetscene. That rule would apply here and regrettably I am of the view that there would be incongruity, visual impacts which would be uncharacteristic, and harm to the Conservation Area were this scheme to progress.
7. I fully appreciate why that the Appellant wishes to provide on-site charging for an electric car and all other things being equal almost all would see that as an environmental benefit. However, the question of how to deal with electric vehicle charging in areas such as this is a strategic and difficult one. It may need greater collective public or private initiatives because it is quite clear that convenience of charging and the sustainability merits attached thereto should not automatically trump other planning factors such as character and appearance and the value of heritage assets; these must form part of any sustainable development equation and planning balance. In my opinion, in this instance, I give greatest weight to the harm to the character and appearance of the locality, whatever the propulsion system of the car to be parked in the curtilage.
8. Given the nature of the scheme I conclude that the proposal would run contrary to the aims of S72(1) of the Act and with LP Policies DEV21 and DEV23 as well as the NP.

Other matters

9. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be, including those identified in support by the Parish Council, would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

10. I say this having regard within the planning balance to the Appellant's points about electric vehicle charging, there possibly being some benefit to the wider public on the parking front, a few local examples of frontage parking, and no objections from the public or neighbours, as well as generally widely rehearsed emissions benefits of electric vehicles. I understand the wish for the development and the difficulties with using the rear access, and I have carefully considered all the points raised by the Appellant, but these matters do not outweigh the concerns which I have in relation to the main issue identified above.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR