



Appeal Decision

Site visit made on 2 August 2022

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 September 2022

Appeal Ref: APP/K1128/W/22/3296981

2 Moulton Moor, Salcombe TQ8 8LG

- 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 Mrs Wendy Pearson against the decision of South Hams District Council.
 - The application Ref 4452/21/FUL, dated 16 December 2021, was refused by notice dated 18 March 2022.
 - The development proposed is conversion of loft to additional living accommodation and provision of 3 new dormer windows to rear elevation.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of loft to additional living accommodation and provision of 3 new dormer windows to rear elevation at 2 Moulton Moor, Salcombe TQ8 8LG in accordance with the terms of the application, Ref 4452/21/FUL, dated 16 December 2021, subject to the following 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: J323-10-01 and J323-15-01 Rev B.
 - 3) Bird and bat boxes as detailed within the Ecological Appraisal 'Bat and Bird Survey' prepared by Colin N Wills dated 1 September 2020 shall be provided, with bird boxes being provided prior to the first nesting season following commencement of the development, and bat boxes being provided within 3 months of the commencement of development, and retained thereafter.

Procedural Matter

2. The appellant's statement seeks to clarify that proposals were amended during the application process, and states that this is reflected within the Decision Notice quoting plan reference 'J323 - 15-01/A'. The Council's decision actually refers to plan reference J323-15-10 Rev B. From the evidence before me, J323-15-10 Rev B is the correct reference for the amended plan considered by the Council and I have therefore determined this appeal based on this plan reference.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is a residential apartment within a large period property on a prominent steeply sloped plot located on Moulton Road in Salcombe. The site lies within the South Devon Area of Outstanding Natural Beauty (AONB), Undeveloped Coast and the Heritage Coastal Zone. The building, which the Council states is of historic interest, is not a designated or undesignated heritage asset, however, is of a traditional character featuring pitched slate roof, gable detailing, and a turret feature to the front elevation. The property forms one of a pair of properties of similar design and character, although alterations to both properties have reduced any group value of their similar appearance. Given the steep topography of the area, the property is set below Moulton Hill which is a private road and public footpath, with the rear roof plane of the appeal property being partially visible over the rear boundary wall. The appeal site is in a prominent location on this hillside and can be viewed from several public areas, including the estuary to the south and the South West Coast Path.
5. This part of the AONB is characterised as a steeply wooded hillside, with a number of sporadic properties located at differing heights along this hillside. There is a range of architectural styles, however the properties are of a predominantly traditional appearance including slate and tiled pitched roofs, gable detailing (including a number of window within gable arrangements), dormer windows and chimneys.
6. The appeal seeks to make alterations to the roof to facilitate additional living accommodation including the provision of three pitched roof dormer windows to the rear facing north west roof plane and the insertion of 2 sash windows within the existing two front facing gables. The design of the proposed dormer windows would feature hanging natural slate walls and slate roof.
7. The Plymouth and South West Devon Supplementary Planning Document (2020) (SPD) as referred to in the Council's officer report provides a series of principles to be applied to the assessment of new dormer windows. The overarching aim of this guidance is to ensure that dormer windows do not dominate the original building and respect the proportions and features of the host property and context of the street scene.
8. Whilst I note the Council's concerns that the proposal would dominate the roof plane resulting in a top-heavy appearance, I find that the scale and position of the dormer windows within the roof would result in a significant amount of the existing roof plane remaining, with the dormer windows being of a suitable scale given the context of the property, therefore appearing as a subservient addition. Furthermore, due to the restricted views of the rear of the property and the use of sympathetic materials, the dormer windows would not be prominent in the street scene and would have a minimal impact to the traditional appearance, features and character of the host dwelling and character of the area, thus according with the guidance of the SPD.

9. I observed on my site visit that both dormer windows and attic level windows within gables are a feature of nearby properties. The proposed gable windows to the front elevation, are of a scale, position and design appropriate to the existing fenestration detail of the host property. Furthermore, the existing windows below the proposed gable window to the eastern side of the property project forward from the front of the property, resulting in the gable being setback from the windows below. From nearby views particularly along Moulton Road, this setback would further reduce any impact on the traditional appearance of the building, whilst in more distant views, the proposed windows would not appear out of place, scale, or character with the host building.
10. The Council raises no concerns that the proposal would have an adverse effect on the natural beauty of the AONB or create significant light pollution as was a concern of Salcombe Town Council. Having considered the proposal and visited the site and its surroundings, I concur with that view. Accordingly, the proposal would maintain the AONB's landscape and scenic beauty.
11. For the above reasons, the proposed development would not cause unacceptable harm to the character and appearance of the area. As such, it would accord with policies SPT1, SPT2, TTV29(5), DEV20, DEV23 and DEV25 of the Plymouth and South West Devon Joint Local Plan (JLP) adopted 2019, and policies SALC B1 and SALC ENV1 of the Salcombe Neighbourhood Plan (NP) Adopted July 2019. These Policies collectively seek, amongst other things, to ensure that development achieves good standards of design, integrating with its host property and surroundings, suitable in scale, form, and visual qualities for its context, and maintains and enhances the protected landscape and character of the area.

Conditions

12. The Council has provided a list of suggested conditions in the event of the appeal being allowed, which I have assessed and, where necessary, amended wording with regard to the advice provided in the Planning Practice Guidance (PPG). As well as the statutory time limit condition, condition 2 would be required to provide certainty and condition 3 would be necessary in the interests of ecology.
13. However, the recommendations provided in the Preliminary Ecological Appraisal include precautionary measures which go beyond what can reasonably be required, and the Council's suggested wording of condition 3 lacks an implementation timescale, thereby resulting in the condition being unenforceable. I have therefore amended the wording of the condition to clearly focus on bat and bird boxes, and to incorporate timescales for implementation and precise requirements relevant to planning and the proposed development.
14. The Council has suggested a further condition to prevent permitted alterations to the roof. However, flats do not benefit from permitted development rights under Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and this condition would be unnecessary.

Other Matter

15. An objection was raised regarding the capacity of the existing drainage system to cope with the proposal. The Council has not raised any concerns and noted South West Water confirmed they had no objection to the proposal. I find no reason to disagree.

Conclusion

16. For the reasons given above, I find that the proposal is in accordance with the development plan, considered as a whole. There are no considerations of sufficient materiality to indicate that the decision should be made other than in accordance therewith. Therefore, I conclude that the appeal should be allowed.

S Harrington

INSPECTOR