



Appeal Decision

Site visit made on 7 February 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2023

Appeal Ref: APP/K1128/D/22/3300712

Hillside, Newton Hill, Newton Ferrers PL8 1AB

- 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 Robert Ashenford against the decision of South Hams District Council.
 - The application Ref 3899/21/HHO, dated 17 October 2021, was refused by notice dated 17 March 2022.
 - The development proposed is installation of second floor roof lantern to flat roof at rear of property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and local area, bearing in mind the extent to which it would preserve or enhance the character or appearance of the Newton Ferrers Conservation Area (NFCA), and taking into account its location within the South Devon Area of Outstanding Natural Beauty (AONB) and the Heritage Coast (HC).

Reasons

3. Hillside is located in Newton Ferrers, which has a strong landscape setting within the AONB and HC. The site lies in the NFCA on Newton Hill. As a result, I am required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
4. The conservation area is small and comprises the earliest houses that hugged the shoreline. The area around the site is characterised by tightly arranged buildings alongside narrow streets, which are generally staggered in appearance due to the ground levels in the area, comprising predominately simple roof forms, including some with modest traditionally styled dormers, and a consistent palette of materials. The collection of historic buildings, traditional building forms, prominence of traditional and local construction materials and how they are experienced, which includes the appeal site, provides a positive contribution to the area. These elements reinforce the local character, appearance and distinctiveness of the area and, insofar as it relates to this appeal, contribute strongly to the significance of the NFCA.

5. There is a large existing flat roof at the rear of the dwelling. There is no dispute that it does not make a positive contribution to the character and appearance of the conservation area. However, due to its muted colour and position to the rear, it is somewhat discreet.
6. The proposed lantern would be erected on top of the existing flat roof and, although it would be to the rear and slightly lower than the ridge line of the main roof, it would nevertheless be a large, elevated addition to the roofscape of the host building. Due to its scale and form, it would accentuate the bulk and incongruity of the existing flat roof and would detract from the historic context and traditional design in the NFCA. Furthermore, the lantern would appear visually jarring in an elevated position against the backdrop of pitched roofs.
7. The appellant has suggested that the proposed changes would be acceptable because the roof lantern would be to the rear of the dwelling and not in a prominent position. However, I observed that the proposed changes would be clearly visible from Riverside Road West and notably from positions between Rose Cottage and Drake and, thus, capable of harming the character and appearance of the wider NFCA. I also observed during my site visit that the proposal would be visible from positions in the south, including from a significant viewpoint identified in the Newton and Voss Neighbourhood Plan 2017-2034 (NVNP) on Passage Road, as well as from the public rights of way through the river. Although the distance of those views would mean the visual impact of the development would be limited.
8. For the above reasons, I find that the proposal would detract from the character and appearance of the host dwelling and wider area. Consequently, the proposed lantern would appear as an unsympathetic addition, which would detract from the character and appearance of the conservation area, thereby causing harm to its significance.
9. Whilst the appellant makes reference to the existence of other roof lanterns and case examples which could be considered similar, each case must be determined on its individual merits and the circumstances in each case are likely to be different. For example, the examples cited are of a different design to that proposed in this instance and a number are in locations which are less prominent within the street scene. Moreover, in light of the harm I have outlined above, the existence of other examples is not justification in itself for the grant of planning permission.
10. Paragraph 199 of the National Planning Policy Framework (the Framework) advises 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. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the scale of the proposal and its proposed position to the rear of the dwelling, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
11. Under such circumstances, Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial because it would increase natural light deeper into the internal space. However, this would be a private benefit. The appellant is also of the opinion that the proposal

would bring benefit to the local economy through increased employment and spending. However, there is no substantive evidence to consider that the support the proposed domestic extension would provide to the local economy would be anything other than minimal. I therefore give these matters limited weight and these are not sufficient to outweigh the harm that I have identified.

12. Given the above, I therefore find that there would be insufficient public benefit to offset the identified harm. As such, I conclude that the proposal would fail to preserve both the character and appearance of the host dwelling and NFCA. Furthermore, given the close relationship of the site and surrounding built form to the coastal landscape and riverside setting, I find that the harm to the conservation area would also result in harm to the AONB and HC. The development would thus fail to satisfy the requirements of the Act, paragraph 197 of the Framework and would conflict with Policies DEV20, DEV21, DEV23, DEV24 and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (LP) and policies N3P-1, N3P-4, N3P-8 and N3P-9 of the NVNP. Together these policies seek, amongst other things, good standards of design that contribute positively to townscape, conserves the historic environment, and conserves and enhances the scenic beauty of the protected landscape.
13. The proposed development would also be contrary to the guidance in Appendix 5 ('New Work in Conservation Areas') of the LPs Supplementary Planning Document, and Plymouth & South West Devon Joint Local Plan 2014-2034, and the advice within paragraphs 130 and 134 of the Framework which seeks to ensure that development is appropriately designed so that it is sympathetic to local character.

Other Matters

14. I note the appellant advises that the proposal would not affect neighbouring occupiers and that a Construction Management Plan could be secured through condition. However, these matters do not outweigh the harm I have identified.

Conclusion

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

J White

INSPECTOR