



Appeal Decision

Site visit made on 21 March 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/K1128/D/23/3314744

4 Leigham Terrace, Kingsbridge, TQ7 1BP

- 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 Stephen Coetzee against the decision of South Hams District Council.
 - The application Ref 3622/22/HHO, dated 17 October 2022, was refused by notice dated 23 December 2022.
 - The development proposed is the erection of a side extension.
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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 appeal property and the wider Kingsbridge Conservation Area.

Reasons

3. The appeal property is a two-storey modest sized Victorian dwelling of simple and traditional form with a low pitched, hipped slate roof at the end of a short terrace of four. The dwelling faces east in an area located behind the main town centre along Fore Street where the topography is such that the land rises east to west and where access to the tightly packed properties in the immediate locality is gained on foot from a network of passages. It sits at the heart of the Kingsbridge Conservation Area (KCA) which includes this unique area that is wedged between the converging Fore Street to the west and Church Street to the east. I saw that part of the KCA's special charm is derived from a mix of its array of historic buildings and the unusually tight development pattern around its original medieval burghage plots. Despite an eclectic mix of buildings in terms of ages and designs within the locality, the appeal property makes a positive contribution to the KCA through its largely unaltered and simple architectural form, and charming visual presence.
4. Atypical to most other residences nearby and the general trend for dwellings in the area, including No 1 at the opposite end of Leigham Terrace, the appeal property has an unusually large and wide side garden. Planning permission was granted in October 2022 under Ref 2673/22/HHO for development described as '*side extension, greenhouse & associated landscaping works*'. The two-storey side addition that was permitted with a mono-pitched, lean-to roof

has not been constructed but forms part of the current proposal which includes a further single-storey, green flat-roofed side extension.

5. Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) deals with place shaping and the quality of the built environment. It requires development to meet good standards of design, to contribute positively to both townscape and landscape, and to protect and improve the quality of the built environment. To achieve this it lists nine criteria to be met. Paragraph 6.82 of the JLP states that the policy will be amplified through supplementary planning documents. To this end the Supplementary Planning Document 2020 (SPD) was prepared by Plymouth City Council, South Hams District Council and West Devon Borough Council to amplify and give guidance on the implementation of the policies of the JLP. Appendix 1 of the SPD gives guidance for residential extensions and alterations, including for houses within conservation areas.
6. As a general comment the SPD advises that extensions and alterations should relate well to the main dwelling and character of the area. That they should generally follow the same architectural style and use the same materials as the original dwelling and that proposals should also respect the character of the area, including building form and layout, architectural style and materials. It states that on occasions, extensions which differ or even contrast with the original property can be acceptable but that they should still have a harmonious relationship with the main body of the property being extended. With regard to roofs the SPD states that the shape, pitch and colour of roofs (and the roofing materials) on house extensions should normally mirror those of the original home unless there are clear reasons why this is not reasonable or practicable and that flat roofs will be discouraged where they are not a feature of the original house although they can sometimes be acceptable at the rear of properties, particularly where they are not prominent and help to reduce the height of an extension. It states that green roofs will be encouraged where appropriate to support biodiversity, rainwater run-off attenuation and visual amenity etc.
7. The appeal proposal comprises two main elements. The first is the two-storey addition which has the benefit of planning permission. The second is the single-storey extension attached to the side of the first. Other than the proposed use of consistent facing materials for both, that would match the existing dwelling, these elements adopt obviously different forms.
8. The appellant argues that, when taken with the original dwelling, the creation of three distinct built elements is intentional and is common practice in architecture, with the approved two-storey part acting as a link and visual break between the form and design of the original terraced house and the single-storey extension. Whilst this may be an acceptable architectural device in theory, it can only succeed if it works in practice. In this instance I share the Council's view that the proposal would be poorly related to the original.
9. The two-storey part of the proposal has the benefit of planning permission as a solitary extension, designed as such and not specifically considered at that time for the purpose of acting as a link to something else. In my view, in isolation it would appear as a reasonably well-considered addition that would complement the form of the existing dwelling. In contrast, the single-storey extension, whilst sub-ordinate in some respects, would be a very prominent and obvious

adjunct that would appear bolted to the side of the property with little appreciation of the appearance or style of the existing. The ecological benefits of a green roof are understood but the 'box-like' form of the single-storey element would be contrary to the SPD guidelines by diverging from the architectural style of the existing with a flat roof form that is discouraged and which in my opinion would be discordant and incongruous. I find no clear reason why the shape, pitch, colour or materials of the roof should not attempt to mirror the original building. The appellant's comparison with a hypothetical alternative does not justify the approach taken.

10. I do not share the appellant's view that the development would be primarily viewed from above. That would be true when seen from the higher levels to the west. I also accept that from immediately close quarters, sight of the single-storey addition would be screened by the property's boundary enclosures. But the addition would not be out of sight. It would be clearly seen from the adjoining pedestrian passage where it leads to the adjacent Blakemore Cottages, at the outside front corner of the site. These cottages are orientated facing the side elevation of No 4 where the extension would be in full view in the outlook from first floor windows. I also saw that the side elevation of the appeal property can be clearly seen to be elevated from a nearby park and play area, with the wider terrace open to view from further afield including from the entrance to Windsor Road from Church Street to the east. From these lower level aspects the green roof would be shielded from view by the extension's parapet, with its overall form perceived simply as a square and inharmonious addition.
11. I recognise that there are contemporary buildings within the KCA, some with flat roofs. These demonstrate how areas, including those with historical associations, develop and change through time. Many are stand-alone buildings that display a cohesive design that is comfortable in its context. Others may not display such quality of design but it is significant that paragraph 207 of the National Planning Policy Framework (the Framework) recognises that not all elements of a conservation area will necessarily contribute to its significance as a heritage asset. By so doing however, the Framework does not justify poorly conceived new development, which must be considered having regard to current planning legislation and up-to-date planning policy.
12. In this instance, my impression overall is that the proposal, by reason of the design and appearance of the single-storey element, would fail to have proper regard to the architectural composition of the existing dwelling and wider terrace. The result would be a disjointed addition that would detract from the character and visual appearance of the host dwelling in its setting. By so doing, it would not display the design quality required by JLP Policy DEV20 for it to contribute positively to the local townscape. By failing to conserve or enhance the local townscape it would also conflict with JLP Policy DEV23. For the same reasons it would conflict with Policy KWAC BE3 of the Kingsbridge, West Alvington & Churchstow Neighbourhood Plan (NP). It follows that the appearance of the wider area as a designated heritage asset would be neither preserved nor enhanced. As such, there would also be conflict with JLP Policy DEV21 and NP Policy KWAC BE4.
13. Having regard to paragraph 199 of the Framework, the harm arising from the proposal to the significance of the KCA as a designated heritage asset would be

less than substantial. However, this does not equate to a less than substantial objection and any harm to a designated heritage asset requires clear and convincing justification in line with paragraph 200 of the Framework. Furthermore, in line with the Framework's paragraph 202, such harm should be weighed against the public benefits of a proposal.

14. Given the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, I attach significant weight to the harm that I have identified to the historic environment.
15. I recognise the appellant's desire to provide additional space to optimise the use of the dwelling in order to accommodate their family's needs. I also accept that improved energy efficiency for the home overall would have some environmental benefits, and that the green roof would have some ecological benefits. I am not persuaded that the proposal would necessarily bring any positive benefits to any adjoining occupiers in terms of visual enhancement, but even if that was the case, the weight I attribute to all of these factors in terms of public benefits is not sufficient to outweigh the harm to the appearance of the KCA.

Conclusions

16. For the reasons given, I find that the proposal would neither preserve nor enhance the character or appearance of the existing dwelling, or the appearance of the KCA. I appreciate that there were some significant expressions of support for the scheme but these do not alter my findings on the main issue. Consequently, the harm that I have identified, together with the conflict with the development plan and national policy leads me to conclude that the appeal should be dismissed.

John D Allan

INSPECTOR