

Appeal Decision

Site visit made on 10 July 2023

by Hollie Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/P1133/D/22/3310187

Cove Cottage, Road from The Strand to Cofton Cross, Starcross, Devon EX6 8QY

- 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 Simon Wilkes against the decision of Teignbridge District Council.
 - The application Ref 22/01060/HOU, dated 30 May 2022, was refused by notice dated 30 August 2022.
 - The development proposed is conversion of second floor above existing garage / workshop and kitchen area into habitable bedrooms.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effects of the proposal on the character and appearance of the host buildings, whether it would preserve or enhance the character and appearance of the Cockwood Conservation Area and whether it would preserve the setting of the Grade II listed building, Ilex Cottage.

Reasons

3. The appeal dwelling is a c. mid-C19 traditional double-fronted, low two storey cottage, with gabled porch, appealing for its modest proportions, simplicity and symmetry. It has a rendered exterior, red clay tiled pitched roof and timber casement windows.
4. The characterful barn building is wider but has a lower, hipped roof form under corrugated metal roof, with dormer windows in the eaves, one in the front elevation and one in the side. It has an irregular arrangement of window and door openings as may be expected of a functional aged building that has evolved over time. The barn is used as a garage/workshop at ground level, and domestic store above. It is relatively rustic on the inside, with an exposed cobbled ground floor and absence of insulation or finishes beneath the roof.
5. The cottage and barn building may have once been detached but are now linked by a ground level extension with a flat roof. The link extension has domestic casement windows consistent with the dwelling.
6. Though on close inspection, some areas would benefit from a degree of improvement, the buildings are not in a deteriorative condition and nor are any of its existing features so jarring that they detract from the collective whole.

7. The conjoined buildings front onto Exeter Road, on its junction with Church Road, and is therefore highly visible from both. By virtue of their siting in relation to Cockwood Lake, the buildings are also prominent in long range views as a foreground element to the impressive Southwood House, situated on higher ground to the rear.
8. The appeal site and surrounding area are within Cockwood Conservation Area (CA), which is very modest in scale, encompassing Cockwood Lake (harbour), the modest settlement of Southbrook (in which the appeal site lies) and the larger settlement on the southern side of the Lake, Cockwood. These two settlements are connected via Church Road which runs across the Sod, an 18th century stone-faced causeway. There are also areas of low-lying meadow and marshland in between and surrounding the CA. The CA boundary does not reflect the extensive development of burgage style garden plots which are an important characteristic of the CA and surrounding area. The CA encompasses around 30 buildings, of which around 9 are Grade II listed, including a telephone box and gate piers associated with Southbrook House.
9. The Conservation Area Character Statement for Cockwood (revised 2010) (the Character Statement) explains that the special qualities of the CA are not derived solely from its traditional vernacular buildings, but from the way that Cockwood gently rises up from Cockwood Lake, which itself is an important CA feature that reinforces the settlement's historic links with the Exe Estuary. The burgage style plots and low-lying meadow areas and significant trees (including those surrounding the appeal buildings) are also important within the CA and as part of its setting.
10. The building materials of limewashed or rendered walls in varied local rubblestone or cob, slate or thatched roofs and traditional casement or sash windows, often small with deep reveals, are important repetitive building features that maintain the character and appearance of the CA. The barn element of the appeal building features within the Character Statement, photographed alongside the Appendix 1 list of '*Characteristic Features of Buildings in Cockwood*'. The Character Statement also explains that the character of many buildings has been severely harmed by the installation of unsuitable windows, such as plastic windows.
11. As traditional vernacular buildings, situated in a prominent position in relation to Exeter Road/Church Road and Cockwood Lake, the appeal buildings contribute greatly to the character and appearance of the CA, particularly given the CA's overall modest size.
12. Ilex Cottage is situated to the north-east of the appeal buildings and is a Grade II listed building (List Entry Number: 1097671). It is assumed to be a C18 house, remodelled in early C19, stucco-fronted with a slate pitched roof and parapet at eaves. It has end stacks and axial stacks and an overall asymmetrical 4 bay front with regular fenestration and rusticated quoins. It also has a lean-to porch to one side and a first floor French window to the other, leading on to a balcony under a hipped roof which overlooks the Exe estuary. Its significance lies in its age, remaining historic fabric, tastefully restrained architectural style and its commanding position in views to and from the Lake and Exe Estuary.
13. Whilst the appeal buildings and Ilex Cottage are set apart by some distance and by some substantial Ilex trees in the garden of the latter, and are different

in character, they still feature within the same streetscene composition. By reason of their historic fabric, evidently comparable ages and architectural language, the appeal buildings contribute to the special interest, and thus significance of the listed building, albeit to a modest degree.

14. The proposal would involve the upward extension of the barn building and the link extension to provide additional residential accommodation at first floor level. They would be covered under a single hip-ended, red clay tiled roof, tying into the host dwelling. Four pitched roof dormer windows would feature along the new roof form, two sitting marginally above the eaves and two punctuating the eaves level. A flat roof dormer extending across much of the width of the new roof would also be inserted at the rear. Whereas the dwelling currently has two beds, the extensions would take it to a 4 bed, 3 bathroom house linked through the first floor, with the garage/store limited to the ground floor of the barn and capable of being closed off from the habitable rooms.
15. The proposal would result in the barn and link extension having a homogenous, domesticised appearance at odds with the authentic, rustic character of the barn, and would undermine the ability to read the cottage and barn as having originally been two buildings. Similarly, the proposal would erode the simple vernacular character of the cottage as a building in its own right, which the existing link extension does not presently do. Furthermore, the dormer windows, by virtue of their number, scale, design and positioning, would also result in an overly-domesticated and fussy appearance, detrimental to the integrity of the component buildings.
16. Though I appreciate that some of the features of the barn were added during the late C20, the changes it has undergone have preserved its utilitarian, rather than domestic, character. This distinction from the dwelling, and the ability to clearly read the buildings as previously having been separate entities with a break in between them, appears to be an important aspect of any scheme to alter them. Similarly, the success of any scheme will be, to an extent, reliant on the use of high quality materials, more typical and sensitive to the character of historic buildings, giving credence to the request for traditional window materials such as those proposed.
17. Through the erosion of the integrity and character of the component buildings, the proposal would harm the quality of their contribution to the streetscene and thus, also the significance of the CA. Given the scale of the CA and the positive contribution that the buildings make thereto, the effects would be noticeable, of at least a moderate magnitude. The detrimental effects on the streetscene composition would also detract from the significance of the listed building, albeit to a lesser extent.
18. For the reasons outlined, the proposal would harm the character and appearance of the host buildings, would fail to preserve the character and appearance of Cockwood Conservation Area and would fail to preserve the significance of the Grade II listed building, Ilex Cottage. It would therefore be contrary to the expectations of S66(1) and S72(1) of the Listed Building and Conservation Areas Act 1990, and Policies S2, WE8 and EN5 of the Teignbridge Local Plan (2014). Collectively, and amongst other things, these Policies seek to ensure new development integrates with the character of the adjoining built and natural environment; protects and enhances the area's heritage assets;

and, in respect of domestic extensions in Conservation Areas, seeks to ensure that the design and materials complement the surroundings.

19. Under the terms of the National Planning Policy Framework (the Framework), the harms to the two designated heritage assets would be of a less than substantial magnitude. Paragraph 202 of the Framework, less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.

Other Matters

20. I note that the current dwelling is undersized relative to the basic needs of the Appellant's family. The proposal would grow the size of the house to one which the family would be more comfortable in. Given the evidence about the Appellant's long-standing association with the appeal buildings, I do not doubt his intention to reside there into the future. However, I cannot be certain that the scheme is the only means of securing the desired outcomes and, these are largely private, rather than public benefits in any event.
21. I note the Appellant's assertion that being denied the opportunity to extend the building would be an infringement of his human rights under the Human Rights Act¹. Whilst a refusal of permission would have consequences for the Appellant, I do not consider that they would be so serious so as to amount to an infringement of said Rights.
22. Though the Appellant may not have received a pre-application enquiry service that met with his satisfaction, which though unfortunate, has not affected my consideration of the scheme on the basis of its particular merits.
23. The general point has been raised by the Appellant that there is a chronic housing shortage. The adaptation of an existing single dwelling to suit the Appellant and his family would not meaningfully contribute to resolving any such shortage, though I note that limiting changes to the existing housing stock to suit modern day living requirements may have related implications.

Planning balance and conclusion

24. For the reasons outlined, the proposal conflicts with the development plan, when considered as a whole. Great weight is also attached to the less than substantial harms to two designated heritage assets.
25. The public benefits of the scheme would result from the investment into the building and from the economic benefits of the construction phase. However, these benefits attract only limited weight in the overall balance. Neither these benefits or the absence of objections are of such materiality that they outweigh the less than substantial harms to the aforementioned designated heritage assets or indicate that a decision should be taken other than in accordance with the development plan.
26. Consequently, the appeal is dismissed.

Hollie Nicholls

INSPECTOR

¹ Article 8 of the European Convention on Human Rights as enshrined in the Human Rights Act (1998)