



Appeal Decision

Site visit made on 4 January 2024

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2024

Appeal Ref: APP/K1128/D/23/3330393

Rockhaven, Courtenay Street, Salcombe, Devon, TQ8 8DQ

- 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 and Mrs N Maxey against the decision of South Hams District Council.
 - The application Ref 2230/23/HHO, dated 28 June 2023, was refused by notice dated 7 September 2023.
 - The development proposed is Householder Planning Application for proposed single storey bedroom extension, modifications to an existing window opening to create a new entrance, alterations to the existing external terrace (to include obscure privacy screening) and configuration of new external steps to outside amenity area.
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Decision

1. The appeal is allowed and planning permission is granted for householder planning application for proposed single storey bedroom extension, modifications to an existing window opening to create a new entrance, alterations to the existing external terrace (to include obscure privacy screening) and configuration of new external steps to outside amenity area at Rockhaven, Salcombe, TQ8 8DQ, in accordance with the terms of the application, Ref 2230/23/HHO, dated 28 June 2023, 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:
 - Site Location Plan, Ref 1184.23.01
 - Site Block Plan Proposed, Ref 1184.23.09
 - Proposed Floor Plan, Ref 1184.23.06
 - Proposed Elevations, Ref 1184.23.05
 - Proposed Site Plan, Ref 1184.23.04
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to first use of the middle terrace, the proposed obscure glass privacy screen shall be installed in accordance with plan Refs 1184.23.06 and 1184.23.05. The privacy screen shall thereafter be retained for the lifetime of the development.

Main Issues

2. The main issues in this appeal are:

- the effects of the proposal on the character and appearance of the host dwelling and surrounding area;
- whether the proposal would conserve or enhance the character or appearance of the Salcombe Conservation Area (CA) and preserve the setting of neighbouring listed buildings;
- the effects of the proposal on the living conditions of neighbouring occupiers in terms of overlooking and noise.

Reasons

3. The proposal can be split into two relatively distinct elements: the front extension and the external changes to the steps and terracing. The front extension of around 8 sqm onto the existing raised platform would create an additional bedroom to this ground floor, single bed flat. The creation of a terrace to the west and reconfiguration of the stepped access would offset the loss of the modest raised platform.
4. The flat forms part of the ground floor of a four storey building with rooms in the roof, Rockhaven. The building is broadly 3 bays wide and has two gable dormers in each of the roof slopes (front and rear). The entrance to the flat is via a double glazed door in the front elevation which projects modestly from the front wall and has a small lean-to slate roof with decorative bargeboard. The building is fully rendered and has UPVC windows. The building is very closely adjoined on the eastern side by No 12 Robinsons Row and to the western side by No 17 Courtenay Street. No 17 stands detached but owing to its position, partly obscures the front elevation of the appeal building.
5. Rockhaven is located at the end of Courtenay Street. Due to its orientation, it does not share a front building line with any neighbouring dwelling. It has an elevated position and is impressively tall, emphasised by the narrowness of Courtenay Street, defined by tightly-knitted buildings, but its position is relatively unique in this context. Paragraphs 13.35-13.36 of the Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020) (SPD) state that the front of a dwelling is usually the most visible part of the building and that a clear/defined building line helps to define the character of the street. Other than small, sympathetically designed porches, the SPD generally seeks to resist extensions that project forward of front building lines.
6. Given the modest proportions and position of the extension, it would present itself in much the same way as a porch. It would have rendered walls and there would be slated coping on the parapet roof edge to give this feature some interest. The relocation of the entrance door would be of limited consequence, and it would be central to the building itself, albeit that the other half of the front elevation is largely obscured by No 17. Whilst the design of the modest extension would not be particularly noteworthy, it would not harm the building's character or form a prominent feature in the streetscene.
7. On the basis of the above, my view is that the proposal would not harm the character or appearance of the host dwelling or the surrounding area and would thus comply with Policies DEV20 of the Plymouth and South West Devon Joint Local Plan (adopted 2019) and Policy SALC B1 of the Salcombe

Neighbourhood Plan (SNP) (made 2019). Together, these Policies seek to ensure that development is in keeping with the area in which it is located and responds to and integrates with the local built surroundings. For similar reasons, the proposal would not conflict with the guidance outlined in the SPD.

Heritage Effects

8. As the site lies wholly within the CA, I am required under Section 72 of the Listed Building and Conservation Areas Act 1990 (LBCAA), to pay special regard to the desirability of preserving or enhancing the character or appearance of the CA. Similarly, as the site lies in close proximity to a listed building, Section 66 of the LBCAA requires that I shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
9. The CA is largely characterised by its enclosed, winding streets, tightly arranged and lined with C19 vernacular buildings in the historic centre with Victorian villas on the surrounding perimeter roads. The general sense of enclosure by buildings and stone boundary walls contrasts with the settlement's open waterfront setting and adds to the significance of the CA.
10. The buildings within Courtenay Street, including the appeal building, are of the age and character for which the CA is recognised, and the tightly enclosed nature of the street is also very apparent with the appeal building forming the terminus in this street arrangement. The appeal building therefore modestly contributes to the special character and thus, significance of the CA as a whole.
11. The appeal proposal would form a relatively unobtrusive addition to the front of the appeal building which would fit with its overall character and that of the streetscene. Whilst situated to the front on a raised platform that defines and existing outdoor space, it would not interrupt any notable building lines or contribute to any greater sense of the streetscene being cluttered or crowded.
12. The appeal building adjoins the listed building, Nos 12 and 15 Robinsons Row (List Entry Number: 1213035). The C19 building is a pair of vernacular 2 storey cottages, albeit one has a modern front dormer storey; and both have some element of rebuilding. The listed building also has group value with a number of other adjoining cottages in Robinsons Row which extend eastwards of Courtenay Street. The group is formed from vernacular cottages within the stepped, narrow street and retains much of its original character, even where historic fabric of the individual buildings has been altered.
13. The appeal building is situated to the rear of the listed building. Due to its height, parts of the appeal building are visible from within Robinsons Row, but the proposed ground floor extension would not be. The listed building's rear elevations that address Courtenay Street are plainer than the fronts, are rendered, and have a more ad hoc fenestration arrangement. They are also elevated from the street level and have vegetation above their retaining walls which set them apart from other buildings which front directly onto the street.
14. Owing to the siting of the proposal to the rear of the listed building in a different streetscene context to that with which it is held to have group value as a heritage asset, and the modest scale and design of the extension, the proposal would not harm the setting of the listed building and would thus preserve its significance.

15. For the above reasons, the proposal would conserve the character and the appearance of the Salcombe Conservation Area and would also preserve the setting of the listed building such as to comply with S66 and S72 of the LBCAA, Policies SALC B1 of the SNP and Policy DEV21 of the JLP. These Policies require that consideration is given to the significance, character, setting and local distinctiveness of heritage assets and contribute positively to the relevant CA character areas.

Living conditions of neighbouring occupiers

16. The amenity spaces to the west of the host building comprise small terraces set at varied levels which are accessed via steps and connecting paths. They are largely tucked away from the streetscene by the flank wall of No 17 Courtenay Street and are set in close proximity to it, including a side window. There is clearly an existing degree of mutual overlooking in this urban environment.
17. The proposal to alter the terrace and landscaping arrangement, including the creation of a 'middle terrace', would not lend to any material increase in the use of the space or different pattern of use over and above that which is already likely to occur. In my view, the likelihood of noise harming the amenities of neighbouring occupiers would be minimal.
18. In terms of privacy, the middle terrace would be enclosed by an obscure glass privacy screen and the upper terrace privacy screen would be replaced. My view is that, subject to the privacy screen, there would be no detriment to the living conditions of neighbouring occupiers at No 17 Courtenay Street from overlooking.
19. I therefore conclude that the proposal would not harm the living conditions of neighbouring occupiers in terms of overlooking or noise and thus complies with Policy DEV1 of the JLP. Amongst other things, this Policy seeks to ensure that new development provides for satisfactory daylight, sunlight, outlook, privacy and protection from noise disturbance for both new and existing residents, workers and visitors, relative to the level of amenity in the locality.

Conditions

20. In addition to the statutory time limit condition, it is necessary to specify the approved plans in the interests of certainty. In order to preserve the character and appearance of the area, a condition is necessary to require the extension to be built in matching materials to the dwelling. In the interests of the protection of the privacy of neighbouring occupiers, a condition is necessary to ensure the timely installation of the glazed privacy screens.

Conclusion

21. For the reasons outlined above, the proposal accords with the development plan taken as a whole. In the absence of considerations that indicate that a decision should be taken other than in accordance therewith, the appeal should succeed.
22. The appeal is therefore, allowed.

H Nicholls

INSPECTOR