



Appeal Decision

Site visit made on 22 January 2024 by Max Webb BA(Hons) MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2024

Appeal Ref: APP/K1128/D/23/3328120

4 Leigham Terrace, Kingsbridge, Devon 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 Stephen Coetzee against the decision of South Hams District Council.
 - The application Ref 1555/23/HHO, dated 8 May 2023, was refused by notice dated 7 July 2023.
 - The development proposed is a side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues in this appeal are whether the proposal would preserve or enhance the character or appearance of the Kingsbridge Conservation Area; and the effect of the proposal on the living conditions of the occupiers of Blakemore Cottages, with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

5. The appeal site is part of a terrace located within the Kingsbridge Conservation Area (CA). It sits at the heart of the CA in an area which is characterised by closely packed development with access on foot from a network of passages. The CA derives considerable significance from the historic tight knit pattern of

development around its original medieval burgage plots and from its historic buildings. The wider CA includes varied building styles, including contemporary development, reflecting how the area has changed through time. Some developments are less sympathetic to the character and appearance of the CA than others, however the Framework recognises that not all elements of a CA will necessarily contribute to its significance as a heritage asset.

6. In the vicinity of the appeal site, there are a number of traditional, modestly sized dwellings arranged in terraces, generally with simple form and sited roughly parallel or perpendicular to the main street, Fore Street. The terrace of which the appeal site is part has a traditional appearance, with a regular pattern of simple fenestration and mirrored front elevations giving a high degree of symmetry. Largely unaltered from the front, the dwellings have a consistent scale. Therefore, the appeal site and terrace contribute positively to the significance of the CA.
7. The Council's Supplementary Planning Document 2020 (SPD) provides guidance on extensions, including some sketch drawings. These are often shown in perspective view however, and are only a representation of what might be considered acceptable in the context shown. The SPD advises that side extensions should generally be subordinate and set back from the front of the property, and that the individual characteristics of the site and proposal will determine the set back distance required. It further advises that they should be of a width to ensure they appear less important than the original dwelling.
8. The ridge of the proposed extension would be set down from the main ridge, with the ground and first floor elements set back from the front of the property. With the eaves level with those of the main dwelling, the resulting small proportion of roof to wall would appear markedly different to the rest of the terrace and create an awkward relationship when seen from the front and rear. The perspective view of a side extension in the SPD does not clearly show the relationship of the eaves on that sketch, and in any event shows a significantly different scale of extension to that proposed here, so is not comparable to the appeal proposal.
9. The proposed extension would be the same width as the host dwelling and would extend rearwards beyond the rear elevation level with the existing outrigger, albeit part of this would be single storey. While the unusually large garden would allow for sufficient space around the extension, this would also allow for clear views of the extension from the surrounding passageways. Due to its width and height, it would appear as a particularly large addition which would with a significantly different appearance to the host dwelling. Consequently, it would not appear subordinate in scale to the original dwelling.
10. Rear outriggers are a feature of this terrace and the proposed rear part of the extension would match these in scale. However, the interaction between the rear outrigger, single storey rear element and side extension, including the proposed roof form, would appear awkward. This would result in the overall proposal at the rear appearing as an incongruous addition that is out of character with the host dwelling and terrace. The lack of objection from neighbours to the rear does not decrease this harm.
11. The single storey front element of the proposed extension would add articulation which would interrupt the otherwise consistent frontage of the terrace, where the ground and first floors are the same depth. Consequently,

the single storey element would further detract from the traditional appearance of the terrace.

12. Front extensions are seen on other properties in the area, including at Riverview Place and 10 Wallingford Road. The dwelling at Riverview Place has a more varied appearance to its frontage and the extension therefore does not look out of character. Although the specific style of front extension used at No 10 is not seen on that wider terrace, there are other alterations to frontages and the terrace is more varied than that of the appeal site. Consequently, these examples are materially different to the appeal scheme, and seen in a different context. They are not therefore directly comparable.
13. The proposal includes two windows at first floor and one large window and a door at ground floor in the front elevation. This would create a busy frontage that would contrast with the simple fenestration pattern seen on the host dwelling and terrace. The proportions of the first floor windows would be similar to the existing dwelling, but the glazing arrangement would not. The ground floor window would be significantly larger than other ground floor windows on the terrace.
14. The set back of the front elevation would screen the windows from view in some limited directions, however they would still be seen together from public views, particularly from the front of the terrace. Consequently, the fenestration arrangement would further distinguish the appearance of the extension from the host dwelling and terrace, to the detriment of the existing properties.
15. Although this window arrangement is the appellant's preference, and they have considered other arrangements, it has not been demonstrated that the proposed arrangement is the only means by which to achieve satisfactorily natural light for the proposed bedroom. Therefore, this does not justify the harm identified.
16. Other similar side extensions in the area may well have been deemed acceptable in their specific contexts. However, this proposal would appear as an overly large, incongruous addition to the host dwelling and terrace, and the use of matching materials would not improve this to an acceptable level. Due to its impact on the host property and the terrace, and its visibility from the surrounding area, it would harm the character and appearance of the CA.
17. Concerns have been raised about the impact of the proposal on view KV15 as identified in the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan 2021 to 2034 (NP). The extension would only be a small part of this view and would be seen with a backdrop of other contemporary development. It would partially fill the gap between the terrace and Blakemore Cottages, but in this closely packed area this would not appear out of place. It would also partially obscure views towards a relatively modern bungalow, which would not harm the appearance of the CA. Therefore, the proposal would have a very limited impact on this view into the CA.
18. The proposal would only be seen from a small part of the wider CA, so it would lead to less than substantial harm to the significance of the heritage asset as a whole. When this is the case, the Framework requires the harm to be weighed against public benefits of the proposal.

19. The proposal would provide additional living space within an urban area, which would be beneficial by improving the housing stock. There is however an existing planning permission for a two-storey side extension so it is evident that these improvements could be achieved in a manner that does not cause harm. While there is an identified need for 3 bedroom dwellings in the area, there is also a need for 2 bedroom dwellings, so this change to the house size would be a limited benefit.
20. The proposal would remove an existing window to the side elevation in the host dwelling which currently overlooks the neighbouring properties, Blakemore Cottages. However, due to the window's small size and distance from the neighbouring properties, this overlooking effect is small. The removal of this would therefore only provide limited benefit. Therefore, overall, I afford these public benefits limited weight, and this would not outweigh the harm to the CA, which is a matter that I afford considerable weight and importance.
21. Overall, the proposal would fail to preserve or enhance the character or appearance of the CA. It would therefore conflict with Policies DEV20, DEV21 and DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) and NP Policies BE3 and BE4 of the NP, which together require development to have regard to the local built surroundings and respond positively to the special character of conservation areas.
22. The proposal would also go against the guidance in Appendices 1 and 5 of the SPD which together advise that extensions should relate well to the main dwelling and character of the area, especially in conservation areas.

Living conditions

23. Blakemore Cottages are located to the side of the appeal site. Gardens, footpath and large boundary wall provide substantial separation between the properties and limit the outlook from their ground floor windows.
24. Appendix 1 of the SPD explains that to protect outlook from neighbouring properties, extensions should leave a gap of 12 metres between walls and neighbouring windows. The proposal would extend towards neighbouring properties and be slightly within 12 metres of Blakemore Cottages. However, due to the angle of Blakemore Cottages, the windows face towards the front of the appeal site, which would include the single storey front extension, whilst the bulk of the proposal would be set further back. The resulting breach of the 12 metre guideline would be small and, due to the positioning, angle and existing boundary treatments of Blakemore Cottages, would have minimal effect on outlook from these properties. The proposal would, therefore, leave a reasonable gap that would prevent any harmful loss of outlook or overbearing effect.
25. The proposal, due to window positioning, separation from neighbouring properties and existing boundary treatments, would not cause any increase in overlooking or cause any significant loss of light from neighbouring properties. Likewise, the creation of a patio area in the garden is unlikely to cause a harmful increase in noise over that which could currently occur within a residential garden.
26. Overall, the proposal would not harm the living conditions of the occupiers of Blakemore Cottages with regard to outlook. It would therefore comply with

Policy DEV1 of the JLP, which requires development to provide satisfactory outlook. Nevertheless, this does not negate or outweigh the harm that would arise to the character and appearance of the CA.

Conclusion and Recommendation

27. The proposal would conflict with the Local Plan and national policy, and there are no material considerations that justify granting planning permission in conflict with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

28. I have considered all the submitted evidence and my representative's report and I agree with the reasoning and recommendation set out above. On that basis the appeal is dismissed.

L McKay

INSPECTOR