



Appeal Decision

Site visit made on 24 June 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2025

Appeal Ref: APP/K1128/D/25/3364688

Telena, 29B Ridge Hill, Dartmouth, Devon TQ6 9PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr John Williams against the decision of South Hams District Council.
 - The application Ref is 3041/24/HHO.
 - The development proposed is new roof in raised position to allow for new first floor with bedroom and ensuite.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the appeal property's name (Telena) is not included in the application form, I have added it to the address within the banner heading above, as it is referred to as such in the submitted evidence. I therefore refer to the appeal site as Telena from hereon in.
3. Interested parties have submitted photomontages purporting to show the visual impact of the proposal. For clarity, I have however determined the appeal having regard to the photomontages within the appellant's evidence, as I have found these to be a more accurate depiction of the proposal in terms of height and massing.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of Dartmouth Conservation Area and the setting of surrounding heritage assets.

Reasons

5. Telena comprises a split-level detached dwelling within a residential area near to Dartmouth commercial centre. Ground levels incline significantly towards Telena's shared vehicular access off Ridge Hill.
 - *Dartmouth Conservation Area and non-designated heritage assets*
6. Telena is within Dartmouth Conservation Area (DCA) and its boundaries encapsulate a relatively large area across its commercial centre and along its coastline, including Kingswear on the opposite side of Dartmouth Harbour. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

7. Having regard to the Dartmouth Conservation Area Appraisal 2013 (DCAA) and my observations on site, the significance of the DCA as a whole is derived from its steep, narrow streets, numerous Listed Buildings and other historic buildings and details of interest, the relationship of buildings to the steep valley slopes, and some striking views of the estuary and surrounding landscape from the historic streets.
8. Telena is within Character Area One as defined in the DCAA, which covers much of Dartmouth's commercial centre and the higher hillside street patterns that are thought to date from the Middle Ages, including Ridge Hill. Many of the historic buildings are terraced, with a vertical emphasis. This prevalent built form can be especially appreciated from harbourside and low-lying commercial centre locations uphill towards Telena.
9. A number of important views are identified in the DCAA, including a distant elevated view from the shared entrance to Telena off Ridge Hill towards the Kingswear hillside hinterlands. The proposed raised roof would significantly restrict this view. Whilst this is a fleeting glimpsed view when walking along Ridge Hill, it is nonetheless a pleasing and important vista that links the distinctive historic built form of the DCA to its wider valleyed landscape.
10. Such visual connections between the urban realm and the surrounding natural landscape contribute to the significance of the DCA. The proposal would thus harm the DCA's significance in this respect.
11. The DCAA also identifies a number of "buildings with a positive impact". This includes the nearby buildings of Rock House and the Coach House, sited further up the valley slope from Telena. Whilst Rock House appears to contain some later additions and alterations to its eastern elevation, the historic form and function of both buildings can still be clearly appreciated. This is in contrast to several nearby buildings (including Telena) that have been considerably extended or altered in an overtly modern manner, including front gables with significant amounts of glazing.
12. Rock House and the Coach House therefore stand out positively as generally well-preserved historic buildings. For the above reasons, I conclude that they both form non-designated heritage assets (NDHAs). In turn, these buildings ("the NDHAs") also contribute to the significance of the DCA.
13. I accept that Telena has a somewhat squatter form and horizontal emphasis in comparison with adjacent buildings. This lower height however allows for views of and appreciation of surrounding historic built form, including the NDHAs. This also means that the existing modern apex glazing of Telena is not an overly prominent feature, as it does not jar with the more traditional surrounding building styles.
14. The proposed roof height increase would partially restrict and unacceptably compete with views of Rock House, when viewed from across the Boat Float, and from adjacent to Flavel Memorial Chapel and within the car park in front of this chapel. Views of the Coach House would also be impinged on by the increased roof height when viewed from the chapel and adjacent car park.
15. Although such views are at some distance, the obstruction of distinctive historic fabric within the hillside by a raised modern roof form would nonetheless harm the significance of the DCA and the NDHAs.

16. I accept that gables with or without large areas of glazing are not uncommon features of the hillside. However, generally I did not find the examples of such gables near Telena to be notably positive characteristics of the DCA. Far from forming a better fit into the area, the proposed raised roof including a higher gable form would amount to an overly dominant and contrasting addition to the immediate historic hillside setting of the DCA surrounding Telena, being in close proximity and in the foreground of Rock House and the Coach House. Such an addition would further draw the eye away from the surrounding historical buildings.
17. Although many nearby buildings are partially obscured by lower neighbours, rather than providing a justification for allowing the appeal, to my mind this highlights the importance of preserving existing views of historic buildings to retain the historic integrity of the DCA. I also found many views of the NDHAs to be restricted by various trees and shrubs, including those within Telena. The evidence before me however suggests that such shrubbery is mainly deciduous and thus would not sufficiently mitigate the harmful visual impact that I have identified.
18. I do not doubt that the existing glazed gable apex of Telena causes some light spill. However, as there are other substantially glazed elevations across the hillside, the proposed replacement recessed gable glazing would not significantly improve the lighting environment of the area, nor would it adequately mitigate the visual harm to the DCA and the NDHAs.
19. For the above reasons, I conclude that the proposal conflicts with Policy DEV 21 of the Plymouth and South West Devon Joint Local Plan (JLP) 2014-2034 (adopted 2019). This policy requires, amongst other things, development proposals to sustain the local character and distinctiveness of the area by drawing upon local character, and conserving its historic environment (both designated and non-designated heritage assets and their settings), according to their national and local significance.
20. The proposal also conflicts with Policy TE3 of the Dartmouth Neighbourhood Plan (DNP) (adopted 2022). This policy requires, amongst other things, proposals in the DCA and in the vicinity of designated and non-designated heritage assets to respect and enhance the DCA and make a positive contribution to the heritage assets and their setting.
 - *Surrounding designated heritage assets*
21. The Grade II* Listed Britannia Royal Naval College¹ is of Edwardian origin. Its significance is derived in part from its large purpose-built scale and form on a spacious and elevated position upon Dartmouth's outskirts, which forms an iconic feature of the town's setting. Although the Royal Naval College is at some distance away from Telena, its large stone cupola incorporating a clock is clearly visible at higher ground across the Boat Float, protruding above the ridgeline of the NDHA of the Coach House.
22. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 requires me to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

¹ Historic England List Entry Number: 1208626

23. The proposed raised roof would not obscure views of the cupola, as it would be on lower ground to its side. It would however appear alongside the cupola amongst the hillside roofscape, when viewed across the Boat Float. Furthermore, as already identified above, the raised roof would partially obstruct views of the Coach House and Rock House which are both clearly visible in the immediate roofscape.
24. The proposal would therefore harmfully dilute the historic roofscape alongside the cupola when viewed across the Boat Float. In this respect, the raised roof would fail to preserve this setting of the Royal Naval College that contributes to its special architectural and historic interest. The resultant harmful visual impact amounts to further conflict with Policy DEV 21 of the JLP and Policy TE3 of the DNP, the relevant requirements of which are already set out above.
25. The nearest Listed Building to the proposal is Grade II Listed and referred to by the main parties as “Combecote”². This Listed Building is of mid-late 18th Century origin and is sited on higher ground and to the side of Telen, at relatively close proximity. Combecote’s significance is in part derived from its intricate fenestration features and its imposing hillside setting, no doubt deliberately designed as such to form a prominent townhouse of some status.
26. Several modern gable roofscapes already partially restrict the historic fabric of Combecote when viewed from various locations within Dartmouth commercial centre. Therefore, on balance I have found that the proposed raised roof would be of sufficient separation distance, including the abovementioned intervening roof forms, to not further detract from or harm the special character, historic interest and setting of Combecote, either in visual or spatial terms.
27. The Council also raises concerns regarding other Listed Buildings which have some intervisibility with Telen from certain viewpoints. The Grade I Listed “The Butterwalk”³ is partially visible from the Boat Float and forms part of a row of former merchants’ houses of 17th Century origin. The Grade II* Listed Royal Castle Hotel⁴ and adjoining former merchants’ houses of Nos 12⁵ and 13⁶ The Quay are also of 17th Century origin. They face directly on to the Boat Float.
28. Given that the proposal is significantly elevated within the hillside, to the side and considerably away from the immediate harbourside setting of the Listed Buildings referred to in the above paragraph, the special character and historic interest of these Listed Buildings would still be preserved and would not be harmed. The separation distances also mean that the contribution that their settings make to their significance would also be preserved.

Other Matters

29. The proposal site is within the South Devon National Landscape (NL), which encompasses Dartmouth and its environs. Statute⁷ requires me to seek to further the statutory purposes of Protected Landscapes, including the NL. The proposed roof extension cannot be said to form an enhancement to the NL. Despite this, and notwithstanding the specific harm to heritage assets that I have identified above, the proposal’s positioning within the town’s established built environment would not

² Historic England List Entry Number: 1292327

³ Historic England List Entry Number: 1197516

⁴ Historic England List Entry Number: 1218065

⁵ Historic England List Entry Number: 1197587

⁶ Historic England List Entry Number: 1292142

⁷ Section 245 of the Levelling-up and Regeneration Act 2023

adversely impact the natural beauty of the NL. A lack of harm however neither ways in favour nor against allowing the appeal.

30. The appellant sought pre-application advice from the Council⁸, which included some positive and supportive comments. I have however assessed the proposal on its own merits based on all submitted evidence and following my site visit. Any inconsistency of approach on the Council's part is a matter between it and the appellant, and has had no bearing on my determination of this appeal.

Heritage and Planning Balance

31. I have found that the proposed raised roof conflicts with Policy DEV 21 of the JLP and Policy TE3 of the DNP in terms of its harmful visual impact upon the special interest of the DCA, the NDHAs of Rock House and the Coach House, and the Grade II* Listed Britannia Royal Naval College. The above heritage assets should be conserved in a manner appropriate to their significance as set out in the National Planning Policy Framework (the Framework). The impact on the DCA and the Royal Naval College amounts to less than substantial harm to their significance, having regard to the Framework.
32. Less than substantial harm does not however equate to a less than substantial planning objection. The DCA and the Royal Naval College are clearly important assets for Dartmouth town and for the wider public interest, and I therefore give the harm I have identified considerable importance and weight. In light of this, the proposal conflicts with the development plan taken as a whole.
33. Policy DEV 21 of the JLP reflects Framework paragraphs 215 and 216, insofar as it states that where development proposals will lead to any harm to the significance of a designated heritage asset, they must be fully justified against the public benefits of the development. Development that harms the significance of locally important non-designated heritage assets, or their contribution to the character of a place, will only be permitted where it can be justified on the basis of a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.
34. Some photovoltaic panels would be installed on the proposed new roof, and the roof would be insulated to current standards. This would reduce heating costs and carbon emissions, helping the Council to meet its climate emergency targets. Ecological enhancements are also proposed, including nest boxes and bat roosting tubes. Moderate weight is afforded to these environmental benefits, given the domestic scale of the proposed development.
35. In determining this appeal, I have had due regard to the Public Sector Equality Duty in Section 149 of the Equality Act 2010. This requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age or disability.
36. Raising the roof as proposed would provide an additional private bedroom with associated ensuite and storage for the appellant, who has suffered significant health issues in recent years and is partly and increasingly dependent on a carer. The overall resultant layout would allow for one or more carers to live on the lower

⁸ Council Ref: 1579/24/PR1

garden level floor. The current middle living areas would be shared, but the appellant and carer(s) would each have their own private space.

37. The benefits of the proposed development to the appellant's care must be weighed against other material considerations, including relevant policies related to heritage assets, and the wider public interest. I am sympathetic and attach considerable weight to the appellant's situation. I accept that there is limited space to extend Telena in a meaningful manner beyond its front or side elevations. The rear garden of Telena is however of reasonable size, and I therefore see no reason why a modest rear extension could not be appropriately designed.
38. Even if a rear extension is ultimately discounted, it has not been adequately demonstrated that the appeal scheme is the least harmful way of satisfying the care needs of the appellant. I also see no reason why the existing layout of Telena could not be appropriately altered to at least in part meet the appellant's care and privacy needs, given the floor area sizes on both levels.
39. In light of the above, I consider that the harm that would be caused by the proposed development clearly outweighs the needs of or benefits to the appellant. Dismissing the appeal would therefore be proportionate within these circumstances.

Conclusion

40. For the reasons given above, the proposal is contrary to the development plan as a whole, and the material considerations before me do not carry sufficient weight to indicate a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR