
Appeal Decisions

Site visit made on 29 July 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal A Ref: APP/X1165/W/24/3353986

Sydore, Meadfoot Road, Torquay TQ1 2JP

- 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 Peter Gladdish against the decision of Torbay Council.
 - The application Ref is P/2023/0120.
 - The development proposed is alterations and demolition of extension to rear. Removal and re-construction of veranda, removal of sun room.
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Appeal B Ref: APP/X1165/Y/24/3353987

Sydore, Meadfoot Road, Torquay TQ1 2JP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Peter Gladdish against the decision of Torbay Council
 - The application Ref is P/2023/0409/LB.
 - The works proposed are to unify ad hoc extensions to create kitchen/dining/family room. Installation of roof, bi-fold doors and roof lantern. Recladding of exterior.
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Decisions

Appeal A

1. The appeal is dismissed

Appeal B

2. The appeal is dismissed

Preliminary Matters

3. The appeal scheme involves the part demolition of a Grade II listed building dating from circa 1835-45. Having regard to the Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021, Historic England and the Georgian Group should have been notified of the application for listed building consent.
4. However, I have concluded that the appeals should be dismissed for reasons relating to the effect of the proposals on the special architectural and historic interest of the designated heritage assets. In these circumstances, little would be gained by delaying the decision to undertake that notification. However, had my decision been otherwise, I would have provided an opportunity for the notification to take place.
5. The above description of development and works for both Appeals are taken from the Decision Notices and part E of the appeal forms. This is in the interest of clarity.

I have removed wording from the description of Appeal A above that does not describe development.

6. Notwithstanding the description of works and development relating to both Appeals set out above, it is clear from the plans and accompanying details that the works and development comprise internal alterations, in addition to the removal and re-construction of veranda, the removal of a sunroom and the addition of a new balustrade and some landscaping works. The Council dealt with the proposals on this basis and so shall I.
7. The appeal site consists of the Grade II listed building known as 'Sydore', which sits within the Lincombes Conservation Area. In reaching my decisions, I have borne in mind the statutory duties under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act).
8. The appeals concern the same site and the same scheme. Although the remit of planning permission (Appeal A) and listed building consent (Appeal B) regimes are different, to reduce repetition, I have dealt with both appeals together in a single decision letter.
9. I observed that the demolition of the existing single storey extension to the western/northern elevations has taken place, and a replacement single storey extension has been erected. In addition, landscaping alterations including a raised terrace have taken place. Internal partitions have been removed in a former bedroom/en suite on the ground floor, now a living room. From what I observed, this development and works have been undertaken in accordance with the revised plans outlined below. The other proposals, such as the remaining proposed internal works and alterations relating to the balustrade and verandah have not commenced. As such the proposal is partly retrospective.
10. The following alterations (to the originally submitted scheme) have taken place in respect of the erected extension—
 - Widening a section of the north-west corner of the proposed extension;
 - Increase in height of extension (by c. 225mm) in order to incorporate insulation;
 - Changes in window size on west elevation of extension;
 - Extended raised terrace from the new extension;
 - Construction of a section (c. 1.5m) of low-level wall (to form planter) extending west from the south-west corner of the new extension;
 - Alteration to the brick detailing at parapet level – altered from vertical brick detail to a horizontal pattern; and
 - The erection of temporary picket fencing.
11. The alterations are fairly limited in extent and nature and the Council and interested parties have had an opportunity to comment on the revised plans as part of the appeals. I am therefore satisfied that the alterations are not substantial and accepting the revised plans would not deprive those who should have been consulted on the changed development and works of the opportunity of such consultation. I have therefore taken the revised plans into account in my determination of the appeals.

Main Issues

12. The main issue in both appeals is whether the proposal would preserve the listed building, or any features of special architectural or historic interest that it possesses, in addition to whether the proposal would preserve or enhance the character or appearance of the Lincombes Conservation Area (the CA).

Reasons

13. Sydore was originally constructed as a large prominent 19th century villa, set within a large plot and characteristic of the architecture of the surrounding hills around Tor Bay in Torquay. It is classically detailed and set over 4 floors, with rendered light grey walls, a shallow pitched slate roof, multi-pane, sash windows and a solid roofed verandah along the south elevation.
14. The property was Grade II listed in 1975, when it was in use as a hotel. The listing description¹ notes its rectangular plan, the four bays with full-height round-headed ground-floor windows on the rear elevation, in addition a mid 20th century flat roofed single storey extension at the rear/side, which incorporated a kitchen/dining room.
15. Internally, whilst the numerous alterations made to facilitate its use as a hotel resulted in the loss of the historic internal layout, remaining historic features include plaster cornices, doors and door cases and a fine staircase with turned baluster.
16. From the evidence before me, the previous extension on the rear/side of the villa, in addition to compromising its simple historic form, was poorly detailed, with large ungainly areas of fenestration, a flat roof, and position slightly in front of one of the full-height round-headed ground-floor windows. It also comprised of an older extension on the northern side, containing the office and utility area of the hotel. This extension was also nondescript. By virtue of their poor form, design and condition, these extensions detracted from the asset's heritage merit.
17. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with its historic and architectural interests as a fine example of the mid-19th century development in this part of Torquay. Important contributors in these regards are its architectural detailing and remaining historic integrity, to which the legibility of its extant historic plan-form and surviving historic fabric contribute.
18. The Lincombes CA character draft appraisal (2002) sets out that the CA represents one of the most important phases in the development of Torquay as a fashionable resort in the mid-19th century. I observed that the significance of the CA as a whole largely derives from the large proportion of surviving 19th century villas, and the low density, verdant character of the area, set against a backdrop of hillsides and sea, which results in an impressive combination of architecture, landscaping and vistas.
19. As a fine example of the high quality of the local vernacular, the appeal property contributes positively to the significance of the CA.

¹ List Entry Number: 1292328

20. I observed that alterations undertaken resulting from a previous approval in 2021² to restore the property into a single-family home has resulted in numerous enhancements relating to improved legibility, including the four principal bedrooms on the first floor, and the redecorating of the exterior, removal of soil pipes, repairing the chimneys and altering the stairs to a more historic form.
21. Numerous further alterations and works are proposed or have taken place. These include the proposed reinstatement/replacement of the verandah around the villa and the removal of the non-original sun lounge on the southern elevation. Internal partitions have been removed in a former bedroom/en suite on the ground floor, now a living room. The further removal of internal room partitions is also proposed in a former bedroom/en-suite in the basement. A cloak/shower room is proposed on the ground floor next to the entrance hall, within a previous hotel bedroom. A dilapidated lean-to on the northern elevation has also been removed. New safety glazing is proposed over and next to the existing external stairwell, and a glass balustrade is proposed around the extended terrace to the south and western elevations. Finally, a raised terrace has been put in place next to the extension.
22. The replacement extension is set on mostly the same footprint as the previous additions, and its similar scale and siting ensures a neutral effect, as the simple rectangular footprint of the historic villa remains legible. The extension is set back from the nearest full height window of the dining room however, which ensures that this window and historic design of this elevation can be better appreciated.
23. The extension is contemporary in its design, clearly distinguishing it from the main house. The use of blue/grey brick further separates it visually from the lighter main house render and results in the extension being recessive visually. Whilst fenestration and doors are in the form of large, glazed openings, this is similar to the extension that has been replaced and mirrors the vertical emphasis of the adjacent notable full height windows. The simple framing provides a minimalist aesthetic with clean lines. The off-centre side window ensures that the reinstated verandah will sit comfortably in the space.
24. The lack of fenestration in the northern side of the extension, which faces in close proximity a boundary wall/vegetation, does not harm the appearance of the extension nor its relationship with the historic building and its special interest.
25. Internally, the extension utilises existing openings between the previous extensions and the historic property and so there is no loss of historic fabric. The northern elevation of the extension, which has been mostly retained, is of some age, the submitted heritage statement puts it as 'post 1930's'.
26. Nevertheless, from the evidence before me, including the submitted photographic record and from what I observed, it is evident that it had no architectural or historic features. The removal and replacement of a small section of this northern elevation of the extension and the infilling of previous windows therefore also did not harm any historic fabric. It therefore preserves the listed building and does not harm its significance.
27. Historic photographs provided in the heritage statement³ illustrates that the verandah ran around the property and was part of the historic building. It has a tent

² Application reference P/2021/0736

³ By Heritage Vision Ltd, February 2023

lead roof, fretted fascia and turned timber columns and is an attractive feature, included in the listing description. However, it has evidently been much altered and is in poor condition, indeed it is no longer present on the west elevation. The proposal takes down the failing verandah and sunroom and would provide a reconstruction, re-using as much of the same timber materials as possible, along the east, south and west elevations. This will ensure that this feature of the property is restored and would preserve the listed building.

28. The sunroom, which I observed is also in poor condition and falling away from the building, would not be replaced. Little detail is provided of its age other than it being a later addition, nor its contribution towards the evolution of the building, however I note photographs of the building in the 1940's show it in situ. As such, it may contribute positively to the evolution and architectural phasing of the building. Without clear and convincing evidence and explanation to the contrary, the removal of the sun room element entirely may therefore obscure the understanding of the phasing of the building.
29. Consequently, I cannot be certain that its removal rather than repair would preserve the listed building's special interest and not harm its significance.
30. I observed a short wooden picket fence, which runs along the rear (west) of the property around the verandah area. This is shown on the existing plan and is installed as a temporary safety feature, given the drop from the terrace to the basement level. It is proposed to replace this with a frameless glass balustrade.
31. This glass balustrade would introduce a modern element that extends around the rear and side of the property. The contemporary extension sits visually apart from the main house and separates it from the 19th century architecture. The balustrade would however, in extending around part of the house, contrast harmfully with the retained traditional verandah and have an uncomfortable relationship with the historic fabric and classical detailing of the dwelling.
32. Whilst views of the building would be possible through the glass, it could catch the eye through reflection and given its siting and length, it would be visible and prominent. It would undermine the special architectural and historic interest of the Grade II listed building and therefore its significance. Moreover, there is lack of clarity provided in relation to the length of the structure, with the proposed & demolition ground floor drawing showing a larger structure than that shown on the elevational plans, how it would be affixed to the ground, and the materials and finish of the integral metal handrail described in the submitted heritage statement.
33. I have considered whether, as suggested by the appellant, a condition controlling the detail of the balustrade could adequately mitigate these issues and concerns were I to allow the appeals. Given the length of the proposed balustrade, the sensitive and prominent historic context and degree of ambiguity in the plans, it would be unacceptable to leave such matters to be dealt with by conditions, as I cannot be sure that they would be effective and capable of implementation.
34. The glass roof to the basement entrance in the north east corner of the building would improve safety and have a neutral effect on the building.
35. The internal works, such as the removal of en-suites associated with the hotel use, would, as with the previously consented works, improve the legibility of the building as a single family home and help its function as a 19th Century villa to be

understood. The remaining historic internal features, such as the fine plaster cornices, and grand staircase are not affected.

36. Limited detail is provided of the ground works that have been undertaken; however, I observed that they are minor and mainly relate to creating a stepped area from the property to the area of hardstanding/terrace that has been in place for some time. The construction of a short wall to form a planter is also minor in scale and is part of general improved landscaping.
37. I conclude that, in relation to the sunroom and balustrade, the proposed development and works would fail to preserve the special architectural and historic interest of the Grade II listed building, Sydore and would harm its significance as a designated heritage asset.
38. The above harm to significance would result in some residual harmful effect to the character and appearance of the CA. It would not therefore preserve the character and appearance of the CA as a whole and would harm its significance as a designated heritage asset.
39. Given the fairly localised nature of the development and works relative to the building and CA as a whole, I find the harm to both heritage assets to be, individually and cumulatively, at a minor level of 'less than substantial' but nevertheless is of considerable importance and weight.
40. There are aspects of the scheme that would undoubtedly be positive and of public benefit. Heritage benefits would accrue from the removal of harmful features; in this case the removal of small nondescript outbuildings and the en-suites within the basement and ground floor areas would improve the legibility of the building. These would, of themselves, sustain and enhance the listed building and preserve the character and appearance of the CA in which it sits.
41. Whilst the previous extension appeared to detract from the asset's historic and architectural interests, the replacement extension is of a similar scale and siting. Whilst its set back from the nearest full height window of the dining room improves appreciation of the historic design of this elevation, any heritage benefit therefore is limited.
42. There would be some economic benefits brought about through the investment into the property and the construction phase. Also, social benefits would be gained through improvements to the local housing stock. Some ecological benefits would also rise from bat and bird boxes. Given the scale of development and works, these benefits would be small.
43. It is not demonstrated that the health and safety benefits of the balustrade is dependent on the proposed design. As such, little weight is given in this regard. Whilst the sun lounge is recognised to be in poor condition, as set out above, clear and convincing justification is not provided for its removal. As such, its proposed removal carries little weight as a benefit.
44. The lack of objections from third parties, or a lack of harm identified in relation to matters such as highway safety or flood risk does not weigh in favour of the proposal.
45. Paragraph 212 of the National Planning Policy Framework (the Framework) indicates that, when considering the impact on the significance of a designated

heritage asset, great weight should be given to the asset's conservation irrespective of whether any harm amounts to less than substantial harm to significance. Overall, the weight I ascribe to the public benefits, including heritage benefits, which would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight I attach to the harm to significance I have found.

46. Consequently, the harm identified to the significance of the designated heritage assets has not been supported by clear and convincing justification. The works and development therefore would conflict with the statutory presumptions set out in sections 16(2), 66(1) and 72(1) of the Act and fail to satisfy the historic environment conservation and enhancement policies of the Framework. There is also conflict with Policies DE1, HE1, SS10 of the Torbay Local Plan 2012-2030 and Policies TH8 and TH10 of the Adopted Torquay Neighbourhood Plan 2021-2030, which amongst other matters, seek to conserve and enhance heritage assets, be of high design quality and appropriate to the context.

Other Matters

47. I note the comments regarding the level of communication and engagement of the Council, however that these issues are matters for local government accountability, not for the appeals in front of me. The pre-application advice⁴ made no reference specifically to the sun room, however it did raise issue with the contemporary glazed balustrade.
48. A split decision is not appropriate given that the verandah and sun room are physically not separable, and functionally, the safe use of the verandah and the extension is to some extent dependent on the balustrade.

Conclusion

49. For the reasons given above, I conclude that both Appeal A and Appeal B should be dismissed.

B Phillips

INSPECTOR

⁴ Application reference DE/2022/0039