



Appeal Decision

Site visit made on 13 June 2013

by Roy Curnow BSc(Hons) MA(TCP) CMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 July 2013

Appeal Ref: APP/Q1153/A/13/2192435

Devonshire House Surgery, Essington Road, North Tawton, EX20 2EX

- 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 Ms Karen Acott, (Wallingbrook Health Group), against the decision of West Devon Borough Council.
 - The application Ref 02715/2012, dated 30 May 2012, was refused by notice dated 14 August 2012.
 - The development proposed is ground floor extension to existing surgery to provide A1 retail for a pharmacy along with access improvements.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:-

(a) The impact of the development on Devonshire House

(b) The effect of the development on the character and appearance of the Conservation Area

Reasons

3. Devonshire House is a two-storey Gothic revival building, which, whilst set well back from Essington Road presents a striking and symmetrical façade when viewed from it. There is a low wall along the road frontage, behind which are mature trees. The front of the building is used as a surgery, whilst its rear portion has been converted to residential properties. A drive runs to the front of the building giving access both to it and adjacent dwellings.
 4. The development would result in the provision of an integrated surgery and pharmacy, as well as providing enhanced accessibility through an access ramp and covered access.
 5. The building is not listed, and both parties agree that it is probably not suitable for listing. Nonetheless, I consider it to be an important non-designated heritage asset within the Conservation Area, as defined in the Glossary to the National Planning Policy Framework (the 'Framework').
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Impact on Devonshire House

6. The provision of a flat roof to the proposed pharmacy would minimise its bulk and thus its impact on the front elevation. Furthermore, the thoughtfulness in proposing a contrasting style and materials for this element, rather than attempting to mimic the Victorian Gothic, is acknowledged.
7. As laudable as the approach is, however, the extensions would have a significant adverse impact on this, the most important elevation of the building. The most notable aspect of the elevation is its symmetry, with matching fenestration and dormers flanking its entrance porch. This extension would lead to a complete loss of the symmetry that gives Devonshire House much of its character.
8. Furthermore, the extension would result in the loss of the two windows on the south western side of the porch, which have sills, mullions, quoins and heads of cut stone that contrast with the rubble stone used in the remainder of the building. Whilst the matching decorative arches above these windows would remain, preserving a link to the original façade, the loss of these important features would harm the character and appearance of the building.
9. The building has been altered over the years, most notably through an extension on the southeast elevation. However, the changes that have occurred have not had a significantly adverse impact on the character of the building and, importantly, have had little effect on the symmetry of the front elevation.
10. The covered access extension projecting from the porch would form an overly-dominant feature that would largely mask it, adversely affecting the appreciation of this and other features of interest on this important elevation.
11. Policy SP18 of the West Devon Borough Council Local Development Framework requires, amongst other things, the protection of historic features and other elements of the historic environment. Policy BE1 of the West Devon Borough Council Local Plan Review (LPR) is also relevant. It seeks to ensure that developments within the Conservation Area are of a scale, design and proportion that is sympathetic to its characteristic buildings.
12. For the reasoning set out, above, I find that the proposed development would cause significant harm to Devonshire House and this would be contrary to the aims of the aforementioned policies.

Effect on the Conservation Area

13. Whilst Devonshire House is set back from the road, its front elevation is clearly seen from the entrance. Indeed, rather than screening the building, I found that the trees flanking the entrance framed the building and drew the eye to it.
14. It forms an important feature in the Conservation Area and whilst its architectural detailing, referred to above, is not clearly seen from the road, the significance of the building in townscape terms is readily appreciated.
15. LPR Policy BE1 is relevant to this issue; it rehearses the statutory requirements set out in Section 72(1) of the Planning (Listed Buildings and Conservation

Areas) Act 1990, "that special attention shall be paid to the desirability of preserving or enhancing the character or appearance" of conservation areas.

16. The proposal would fail the tests of preserving or enhancing the character or appearance of the Conservation Area. The harm would be manifest in the provision of large front extensions, including the overly-dominant covered walkway. This form of development is at odds with the prevailing form of development in the area. The loss of symmetry on this important building would also be harmful to the appearance of the Conservation Area.
17. The addition would be to the front of Devonshire House, and would be highly prominent within this part of the Conservation Area. However, the North Tawton Conservation Area is large and this scheme would affect only minor part of the whole Conservation Area. The harm caused to the overall Conservation Area's significance, as a heritage asset, would, therefore, be 'less than substantial', as defined in the Framework, (paragraphs 132-135).
18. I note the intention to provide an integrated surgery and pharmacy with enhanced accessibility and this is a significant public benefit. Paragraph 134 of the Framework requires any harm to a designated heritage asset to be weighed against the public benefits of the proposal including securing its optimum viable use. I have carefully considered the arguments set out in the grounds of appeal about the standards required by the Care Quality Commission but I am not convinced by the case put forward that this scheme would be the only possible solution to achieving the accommodation sought. I find, on balance, that the considerable harm to the character and appearance of the Conservation Area would remain for the foreseeable future and would outweigh the public benefit, which could be realised in other ways.
19. In this case, for the reasons I have set out, the proposal would be harmful to the Conservation Area, contrary to the terms of LPR Policy BE1.

Conclusions

20. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Roy Curnow
INSPECTOR

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