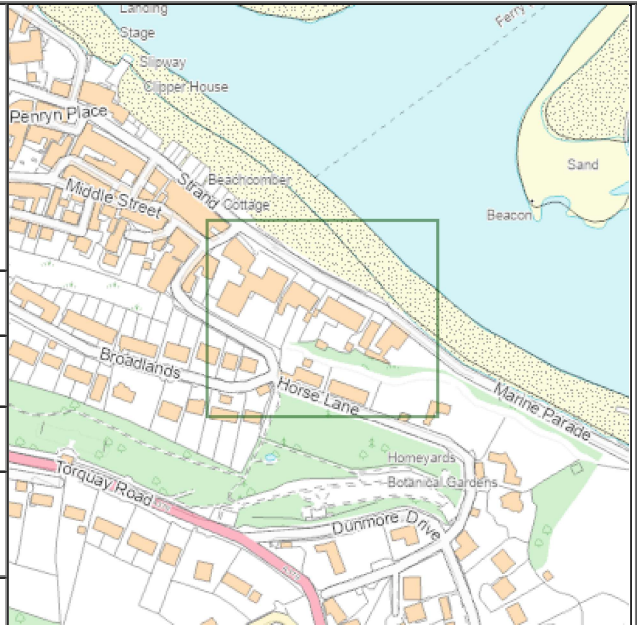


Planning Committee Report

Chairman: Cllr Suzanne Sanders

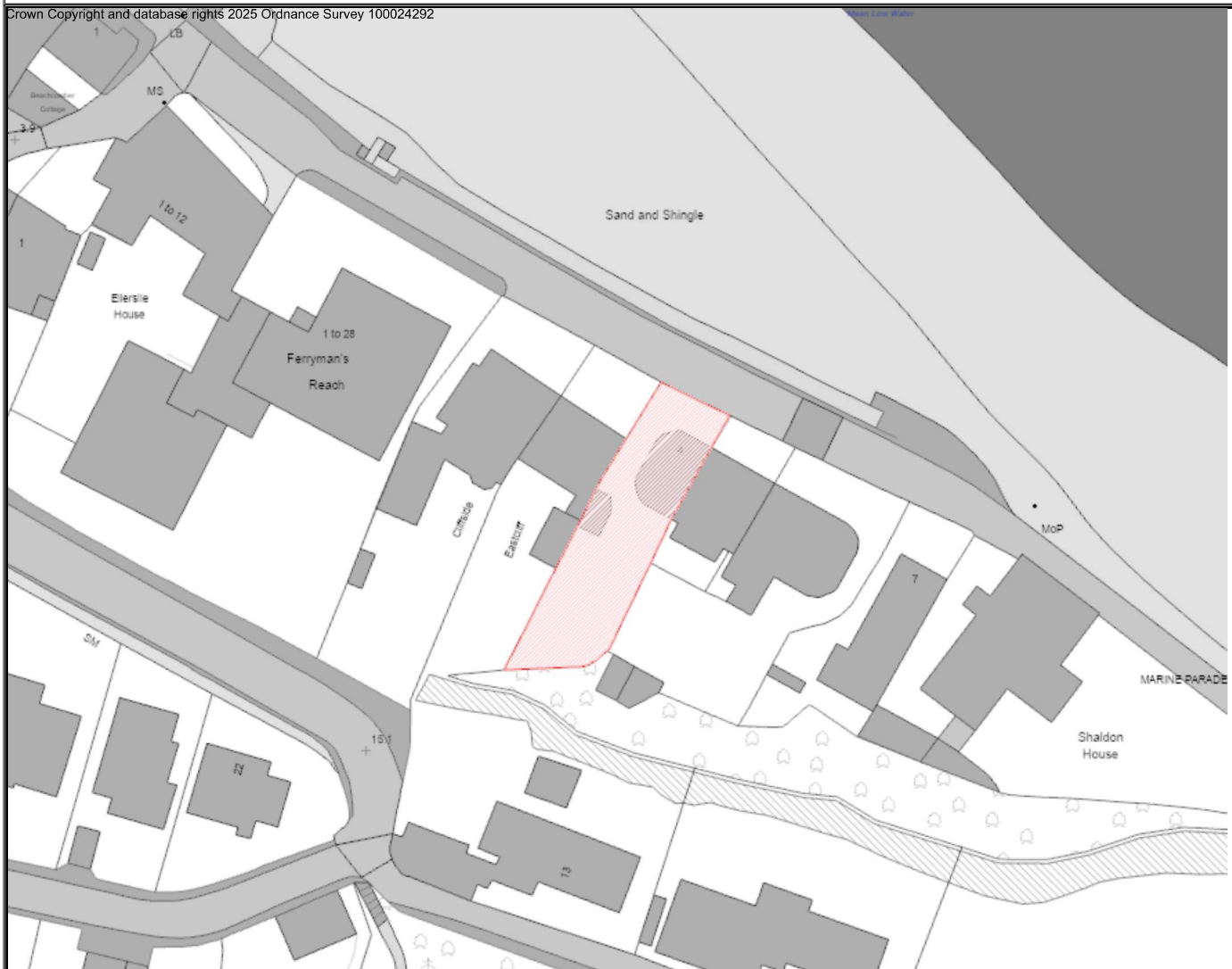
Date	24 June 2025
Case Officer	Helen Murdoch
Location	4 Marine Parade Shaldon Devon TQ14 0DP
Proposal	Creation of a permeable accessible parking area to the front, addition of a small rear terrace and renovation of an outbuilding
Applicant	Mr Chris Clarence
Ward	Shaldon And Stokeinteighhead
Member(s)	Cllr Chris Clarence
Reference	25/00544/HOU and 25/00545/LBC



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION REFUSED

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1. REASON FOR REPORT

- The applicant is a Council Member.

2. RECOMMENDATION

PLANNING PERMISSION be REFUSED for the following reason(s):

1. The proposed creation of a parking space would see the loss of an existing boundary wall and area of soft landscaping which forms part of the positive setting of the listed building and which enhances the character and appearance of the streetscene and the wider Conservation Area. In the absence of any identified public benefits to outweigh this identified less than substantial harm it is considered that the proposals fail to accord with the requirements of policies EN5 and WE8 of the Teignbridge Local Plan 2013-2033 and emerging policies H11 and EN17 of the Teignbridge Local Plan 2020 – 2040 and to the requirements set out in the NPPF.
2. The proposed amendments to the fenestration to the rear of the property will see the loss of important historic fabric and the proposed new opening would see the loss of the existing pleated proportions to the fenestration on the rear elevation leading to less than substantial harm to the listed building. In the absence of any public benefits to outweigh this harm the proposals are not considered to accord with the requirements of policies EN5 and WE8 of the Teignbridge Local Plan 2013-2033 and emerging policies H11 and EN17 of the Teignbridge Local Plan 2020 – 2040 and to the requirements set out in the NPPF.
3. The proposed terrace by reason of its depth and proximity to the neighbouring boundary is considered to give rise to a loss of amenity to neighbouring residents through overlooking. As such the proposals are not considered to accord with policy WE8 of the Teignbridge Local Plan 2013-2033 and emerging policy H12 of the Teignbridge Local Plan 2020 – 2040 and to the requirements set out in the NPPF.

LISTED BUILDING CONSENT be REFUSED for the following reason(s):

1. The proposed creation of a parking space would see the loss of an existing boundary wall and area of soft landscaping which forms part of the positive setting of the listed building and which enhances the character and appearance of the streetscene and the wider Conservation Area. In the absence of any identified public benefits to outweigh this identified less than substantial harm it is considered that the proposals fail to accord with the requirements of policy EN5 of the Teignbridge Local Plan 2013-2033 and emerging policy EN17 of the Teignbridge Local Plan 2020 – 2040 and to the requirements set out in the NPPF.
2. The proposed amendments to the fenestration to the rear of the property will see the loss of important historic fabric and the proposed new opening would see the loss of the existing pleated proportions to the fenestration on the rear elevation leading to less than substantial harm to the listed building. In the absence of any public benefits to outweigh this harm the proposals are not considered to accord with the requirements of policy EN5 of the Teignbridge Local Plan 2013-2033 and emerging policy EN17 of the Teignbridge Local Plan 2020 – 2040 and to the requirements set out in the NPPF.

3. DESCRIPTION

Planning History

- 3.1. There is considered to be no relevant planning history for the site.

The Site

- 3.2 4 Marine Parade occupies a sea front location towards the western end of Shaldon. It sits directly behind one of the main promenade and seating areas along the Shaldon sea frontage and is highly visible from the surrounding area. 4 Marine Parade is the end dwelling in a short terrace of properties and the terrace as a whole is a remodelling of a former warehouse associated with the salt cod trade. The whole of the terrace is Grade II listed and lies within the Shaldon Conservation Area.
- 3.3 The terrace is characterised by the distinct curved treatment of the end walls. As can be seen in the image below. The application site is the cream end property.



- 3.4 The terrace as a whole has been subject to a range of residential additions in the past including rear extensions and the additional of dormer windows. The application site has however remained largely un-touched with the range of additions and alterations being mostly applicable to the rest of the terrace. These additions have not always been sympathetic to the character and appearance of the listed building as a whole. The application site is largely un-touched and still benefits from a full length garden unlike the rest of the terrace which has seen the private amenity space reduced significantly to make space for an area for parking which is accessed to the side of The Round House at the opposite end of the terrace.
- 3.5 The application site benefits from an outbuilding in the rear amenity area in the form of a simple lean-to off of the boundary wall. Access to the rear of the property is via a set of curved external steps which lead up to a single door. To the front of the application site there is a small area of private amenity space enclosed by a low stone wall and an access drive via a set of decorative pillars which lead to a side gate.

The Proposal

- 3.6 The applications have three elements. The first aspect of the proposed scheme is the removal of the front stone wall leaving the existing pillars in situ and creating an area for off-road parking. The parking area would be in the form of granite pavers or a grass grid (clarity being sought) with granite edging. This would provide sufficient parking space for one vehicle.
- 3.7 The second aspect is to renovate the existing outbuilding by removing the slate roof and repairing the roof timbers and replacing the slates and to repair the cob walls and finish with a lime render.
- 3.8 The final element is the creation of a raised terrace to the rear of the property. This would see an extension of the existing raised access point shown in the photo below across the remaining width of the rear elevation with a projection of 3m off of the rear elevation. The existing timber sash window would be removed and the opening amended to a set of what is assumed to be doors with a small fan light section of glazing above. It is assumed, as the application submission failed to provide a set of existing or proposed floor plans such that the nature of this amended opening cannot be fully assessed. A set of plans has been requested accordingly. The terrace will be of timber construction with balustrading to match the existing handrail on the staircase.



The Principle of Development

- 3.9 The application site is an established dwelling within the defined settlement of Shaldon. Domestic extensions and works to domestic outbuildings and associated domestic curtilage are in principle supported by policy S22 of the Local Plan subject to all other material planning considerations being duly satisfied.

Significance of the Heritage Asset

- 3.10 In coming to this decision the council must be mindful of the duty as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act

1990 to have special regard to the desirability of preserving listed buildings, their setting and features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area, and have given it considerable importance and weight in the planning balance.

- 3.11 In considering these proposals consideration must also be given to the requirements of the NPPA and of particular relevance are the following paragraphs:

202: ... *“These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”*

210: *“In determining applications, local planning authorities should take account of:*

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.”

212: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).....”*

213: *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

215: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

219: *“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”*

- 3.12 In order to assess the impact of the proposals within this application(s) on the detailed heritage assets it must first be understood what the significance of these heritage assets are.

- 3.13 4 Marine Parade Grade II listed building. Shaldon has developed as a maritime village and the small proportion of the population living in the village up to the end of the 18th century was mostly involved in the considerable fishing industry it shared with Teignmouth; supplied by local catchers as well as those brought from the cod fisheries off Newfoundland. Landings were onto the beach, mostly, it seems, close to where 4, 5 and 6 Marine Parade stand today, as the terrace is said to be a

remodelling of a former warehouse that was used either for fish smoking or for the salting and storage of cod. As such this building as a whole has a vital story in the history of the village. It is noted that there have been significant alterations in the past to the rest of the terrace to the detriment of the character and appearance of the listed building as a whole. The significance of that this end terrace property has remained largely unchanged displaying what are thought to be original sash windows to the rear and pleasing architectural details.

- 3.14 The building occupies a prominent location within the Shaldon Conservation Area. The building is noted as outstanding in the Architectural Character Survey within the Conservation Area appraisal.

Consideration of the Proposals

- 3.15 The proposed restoration of the outbuilding is considered sensitive and would secure its future. It is currently in a neglected state. It is considered that the careful restoration would accord with policies EN5 of the Local Plan and emerging policy EN17. Consideration has been given to the biodiversity value of the building in its current state. There is some potential for the outbuilding to support nesting birds and night roosting/feeding bats. A daytime bat roost is not likely as windows, doorways and missing slates make the building too light inside to be ideal for day roosting. As such it was considered that further survey work would not be required. The restoration of this building is not considered to give rise to any neighbouring amenity issues nor any surface water or flood risk issues given that it is already in existence.
- 3.16 The proposed removal of the sash window and the installation of a more modern set of doors with glazing over is considered unacceptable. The loss of this window which is likely to be an original feature will have a negative impact on the special interest of this listed building in terms of aesthetic and historic values. Not only would the proposals see the loss of historic fabric but, the distinctive and original fenestration pattern would be lost. This is considered to be especially important due to the unsympathetic alterations carried out to the neighbouring properties thus giving greater significance to the surviving fabric of 4 Marine Parade. The provision of some form of lighter weight smaller area of terrace may be achievable utilising the existing door and removing a small section of the railing to facilitate access to a terraced area. As such it is identified that this part of the proposals would present less than substantial harm to the heritage asset and in the absence of any public benefits to outweigh this harm it is not considered that this aspect of the proposals would accord with policies EN5 and WE8 of the Local Plan nor emerging policies EN17 and H11 nor satisfy the requirements of the NPPF. It is considered that the proposals would likely give rise to an amenity issue with the neighbouring property as the terrace would be immediately adjacent to the boundary and it would appear that it would project beyond the extent of the neighbouring lean-to (lean-to depth measures approximately 2.3m on aerial maps and the terrace is set at 3m in depth). This could afford views across the low boundary wall into neighbouring amenity space for the lower ground floor flat and back towards windows within the lean-to. Consideration of reducing the depth or possible privacy screens would address these concerns. Although it is noted that there is an element of intervisibility to the rear of these properties it is considered that the proposed terrace would give rise to a new element of potential overlooking such that it is not considered to accord with policy WE8 of the Local Plan and emerging policy H12.

- 3.17 The final aspect of the application is the proposed creation of a parking area within the front amenity space currently set to soft landscaping. This would require the removal of the boundary wall which comprises low level stones. The Shaldon Conservation Area appraisal sets out the following: *“More significant in both historical and visual terms, however, is the preponderance in the village of front garden areas – as these not only reflect the age of Shaldon’s transformation (since front gardens only became typical of the urban scene in the 19th century), they also mean that most of the streets have a somewhat domestic, ‘villagey’ appearance that is quite unlike that of a town.”* The associated Management Plan reinforces the importance of front gardens, when discussing the loss of curtilage features: *“The impact is doubly harmful (to both the building’s setting and the street picture as a whole) when the garden area exposed is subsequently resurfaced to create a hardstanding for parked vehicles, thus destroying the sense of enclosure that formerly prevailed.”*
- 3.18 Parking is a problem within Shaldon especially during busy times when visitors are attracted to this seaside settlement. There are many examples where front gardens have been converted to areas of hardstanding to facilitate off-street parking. In these instances the removal of part or entire sections of boundary walling and the loss of soft landscaping has lead to an overall detrimental impact on the streetscene and the overall character and appearance of the Conservation Area. The application site benefits from a gravel area suitable for the provision of parking for one vehicle. However, the access is tight given the existing gate piers and the fact that cars may often be parked opposite. As such it is understood that this area cannot easily be used. The proposals would however erode the setting of this listed building as is apparent at the other end of the terrace and would have an overall detrimental impact on the wider streetscene and in turn the character and appearance of this part of the Conservation Area. A more appropriate option may be to consider the moving of the existing pier across slightly in order to facilitate easier access to the existing parking area. This would be less visually intrusive and would be supported by the Conservation Officer. As such it is considered that the proposals as set out would give rise to less than substantial harm. No public benefits are generated as a result of these proposals and as such it is considered that this aspect of the proposals are not considered to accord with policies EN5 and WE8 of the Local Plan and emerging policies EN17 and H11 nor the requirements of the NPPF.
- 3.19 As the proposed parking area was set to be permeable granite pavers or a grass grid it was not considered that this would give rise to any surface water drainage concerns.
- 3.20 Marine Parade is a busy road through Shaldon and is narrow in places and movement is made harder by parked vehicles on the street. As such traffic is not fast moving. This section of the road is relatively straight allowing good visibility for anyone utilising the proposed parking space. As such it is not considered that the proposed parking area would give rise to any highway safety implications

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria
S2 Quality Development
S7 Carbon Emission Targets
S21 Villages
EN3 Carbon Reduction Plans
EN4 Flood Risk
EN5 Heritage Assets
EN8 Biodiversity Protection and Enhancement
EN11 Legally Protected and Priority Species

Emerging Teignbridge Local Plan 2020-2040

Teignbridge Local Plan 2020-2040 was published on 14 March 2024 and has been submitted for public examination. The National Planning Policy Framework sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework. The following emerging policies are considered relevant to the proposed development:

GP1: Sustainable Development
GP2: Development in Teignbridge
GP3: Settlement Limits and the Countryside
DW2: Development Principles
H11: Householder Development
H12: Residential Amenity
EN6: Flood Risk and Water Quality
EN10: Biodiversity and Geodiversity
EN12: Legally Protected and Priority Species
EN17: Heritage Assets

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Conservation Officer

The sensitive repair of the outbuilding is supported, however the proposed parking area is found to be unacceptable for the following reasons:

1. It has a negative impact on the character and appearance of the Shaldon Conservation Area.
2. It has a negative impact on the significance of the listed dwelling due to the harmful effect on its setting.

It is considered that the loss of the (likely) original sash window to the first floor (at the rear) and replacement with French doors is unacceptable. The loss of this

window will have a negative impact on special interest in terms of aesthetic and historic values. Not only is there a loss of historic fabric but the distinctive and original fenestration pattern would be lost. This is especially important due to the inappropriate alterations carried out to the neighbouring properties which gives even greater significance to the surviving fabric of 4 Marine Parade.

Biodiversity Officer

There is some potential for the outbuilding to support nesting birds and night roosting/feeding bats. A daytime bat roost is not likely as windows, doorways and missing slates make the building too light inside to be ideal for day roosting. A survey is therefore not needed, but please attach a protected species informative.

DCC Highways Engineer

Please use standing advice

Drainage Officer

The proposed grass grid permeable surfacing to form the new parking area meets the current SuDS standards.

The addition of SuDS planters should be considered to provide a betterment to the existing drainage provision.

6. REPRESENTATIONS

- 6.1. No representations have been received to date.

7. TOWN / PARISH COUNCIL'S COMMENTS

- 7.1 No objection to the rear improvements or renovation of the outbuilding. No objection in principle to the parking space but would like the applicant to consider other surfaces for the space which allows more decorative space when car not parked in space.

8. COMMUNITY INFRASTRUCTURE LEVY

- The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

- Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

10. BIODIVERSITY NET GAIN (BNG)

Biodiversity net gain is a legal requirement for planning permissions. Planning applications are required to either provide detailed information proving there will be

a biodiversity increase of 10% or explain why they are exempt from doing so. Unless exempt, planning permission is subject to the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)).

- This development is exempt from the general Biodiversity Gain Condition for the following reason: Householder development.

11. CARBON/CLIMATE IMPACT

The proposal is for a minor alteration/extension to an existing dwelling and therefore is not considered to give rise to significant impacts regarding carbon emissions.

12. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests/the Development Plan and Central Government Guidance.

Ian Perry

Head of Development Management