
Appeal Decision

Site visit made on 17 October 2016

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 17 November 2016

Appeal Ref: APP/X1165/D/16/3154752

Northwood, Meadfoot Road, Wellswood, Torquay, TQ1 2JP

- 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 Mr Steve Maslen against the decision of Torbay Council.
 - The application Ref P/2016/0554/HA, dated 12 May 2016, was refused by notice dated 7 July 2016.
 - The development proposed is the addition of a roof pod to approved remodelling of the existing house (P/2015/0780) further to the refusal of application P/2015/1181.
-

Decision

1. The appeal is allowed and planning permission is granted for the addition of a roof pod at Northwood, Meadfoot Road, Wellswood, Torquay, TQ1 2JP in accordance with the terms of the application, Ref P/2016/0554/HA, dated 12 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3707-01, 3707-02, 3707-11 Rev C-P1, 3707-12 Rev C-P2.
 - 3) No development shall take place until samples of the materials to be used in the construction of the roof pod hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The description of development in the banner heading above refers to planning permission P/2015/0780. However this appears to be a typographical error. Whilst a copy of this permission is not before me, the appellant's statement refers to permission P/2015/0708 as do the Council in their evidence. I have therefore used P/2015/0708 as the reference number when referring to this permission in my decision.
 3. I have removed the words: "*...to approved remodelling of the existing house (P/2015/0780) further to the refusal of application P/2015/1181*" from the description of development in my formal decision above as these are superfluous and are not an act of development.
-

Main Issues and Background

4. The appeal site has a planning history which includes permission P/2015/0708. This allowed various extensions and alterations to Northwood in order to give it a more contemporary appearance. At the time of my site visit this permission had not yet been implemented. The roof pod before me was part of a previous scheme but was removed following officers' recommendations.
5. The main issues are therefore the effect of the roof pod on the character and appearance of the dwelling (as remodelled under permission P/2015/0708) and the settings of adjacent listed buildings, and whether it would preserve or enhance the character or appearance of the Torquay Harbour Conservation Area.

Reasons

6. The appeal site falls within the Torquay Harbour Conservation Area. Northwood, a detached dwelling dating from the early 20th Century, sits within a tract of land which lies between Meadfoot Road and Meadfoot Lane which rises up from the harbour to the west. This area of land includes traditional villas as well as more recent infills such as Northwood. As a result there is a variety of styles, designs and heights of buildings; from those with steeply pitched roofs and prominent chimney stacks, to more simplistic and contemporary style properties. There is also little uniformity to the siting of properties here, with some being set well back from the adjacent highways, whilst others directly abut. This variety of form and layout gives the area an eclectic feel.
7. Northwood is two storeys but due to the steep incline of the land also has a lower ground floor. It sits more or less central to its plot, being set well back from Meadfoot Road to the front and Meadfoot Lane to the rear. Consequently, although it occupies an elevated position, it is largely screened from public views by trees and surrounding buildings. However, fleeting views from the immediate surrounding area are possible, and in longer views it appears against a backdrop of surrounding development.
8. As set out in the appellant's evidence high level accommodation of this nature, which allows long views of the surrounding area, is not uncharacteristic in Torquay. The roof pod would appear as a subservient and contemporary addition to the property as remodelled under permission P/2015/0708. Whilst it would increase the height of Northwood it would not appear uncharacteristically tall due to the flat roof design of the property. The roof pod, would, in effect take the place of a traditional pitched roof. Nor would it make the building significantly more dominant as its dark finish would mean it would appear secondary to the paler and therefore more prominent rendered walls proposed under permission P/2015/0708. The roof pod would also be recessed from the front and side elevations of the main building, thereby restricting its size. For these reasons I find no harm to the character or appearance of the dwelling as remodelled.
9. From long views, as noted above, the roof pod would be set against a backdrop of existing rooflines and development and as such would have a limited visual impact. Where the roof pod would be visible in more immediate views, such as from Meadfoot Lane and the car park opposite the appeal site, given the variety of buildings in this area the proposal would simply add to this, but in a

restrained way. Moreover, the discreet siting of Northwood, set back from the adjacent highways, and behind neighbouring properties and mature trees, means the roof pod would not be overly prominent in its surroundings and as such would not detract from the character or appearance of the conservation area. For these same reasons it would not harm from the settings of the adjacent Grade II Listed building The Tudors, the Grade II Listed former Church of the Holy Trinity (now the Breakaway Sports Centre), or 35 and 37 Meadfoot Lane, also Grade II Listed, all of which are not only visually separate to Northwood but are also far more prominent in their immediate street scenes.

10. For the above reasons the proposed roof pod would not be harmful to the character and appearance of the dwelling as remodelled, or the settings of adjacent listed buildings. It would also preserve the character and appearance of the Torquay Harbour Conservation Area. Consequently I find no conflict with Policies DE1, DE5 and SS10 of the Torbay Local Plan (2012-2030) which require well designed development which respects the existing built environment and conserves heritage assets. I also find no conflict with the National Planning Policy Framework which similarly requires development to take account of the character of different areas and the conservation of heritage assets.
11. On the evidence before me I find no harm to the living conditions of occupiers of neighbouring properties as a result of the roof pod and I note the Council also found no harm in this respect. The Council do, however, mention screening of the roof terrace to the front of the roof pod to protect neighbouring amenity but no condition relating to this has been suggested. Nevertheless, the roof terrace would be set behind a parapet wall which would provide adequate screening. I therefore find no harm in this respect. No landscaping works are proposed as part of the development. Therefore it would have no impact on adjacent trees protected by a Tree Preservation Order.
12. In addition to the standard time limit condition I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. To ensure a satisfactory appearance I have also included a condition requiring materials to be submitted to and agreed by the Council. Subject to these conditions, the appeal is allowed.

Hayley Butcher

INSPECTOR