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# Appeal Decision

Site visit made on 13 July 2017

**by Andy Harwood CMS MSc MRTPI**

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

**Decision date: 28 July 2017**

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**Appeal Ref: APP/P1133/D/17/3173296**

**56 Orchard Grove, Newton Abbot TQ12 1FZ**

- 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 and Mrs Brent against the decision of Teignbridge District Council.
  - The application Ref 17/00168/FUL, dated 19 January 2017, was refused by notice dated 2 March 2017.
  - The development proposed is described as: "alterations to garage roof to form lounge/store room. Deck and screening over parking area".
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The effect of the proposals upon the character and appearance of the area. The second is the effect of the proposal upon the living conditions of the occupiers of surrounding dwellings with respect to sound and activity.

## Reasons

### *Character and appearance*

3. The appeal site is within a modern estate. There is some variation to the form of dwellings but they have clearly been designed with traditional theme in terms of the appearance of dwellings and the use of materials. The estate road is a shared surface but the buildings provide a strong separation between public and private space.
4. The proposal would involve the extension of an existing detached double garage to the side of the existing dwelling. The garage has a pitched roof. The roof slope has tiles matching this and neighbouring dwellings facing the estate road. The parking spaces in front of the garage would be covered over with a decked area at first floor level which would be surrounded by etched glass privacy screens that would be 1.9m above the floor level of the deck. At the rear of the deck, the garage roof would be extended upwards with the new apex above eaves level on the dwelling. The deck would be used as a recreation space (a hot-tub is shown on the plans) and the extended roof-space within the garage would become a store or lounge.
5. The structure would become much bulkier and the glazed screens would be in a

high position with the tops reaching almost as high as the level of the top of the first floor windows. The screens would starkly contrast with the red brick on this and neighbouring dwellings. The enlarged structure with this glazing and the void below would stand out incongruously within the street-scene.

6. The accommodation constructed over garages on the opposite side of the road, which the appellant refers to, is constructed of similar materials to the neighbouring dwellings and is of a very different form from this proposal. Although there are examples of similar developments within the wider area, from the limited information provided by the appellant these are on developments with a more contemporary look which is not directly comparable.
7. The proposal would not integrate with nearby buildings. In relation to the main issue, this would have a harmful impact upon the character and appearance of the area. This would not comply with Policies S1, S2 and WE8 of the Local Plan<sup>1</sup> (LP). This would constitute a poor design, not complying with paragraph 64 of the National Planning Policy Framework (Framework).

#### *Living conditions*

8. Whether the proposed deck is used for the hot-tub or other recreational purposes, it would be close to the road through the estate which also leads to a garage parking area. Although this is close to the end of the cul-de-sac and at the time of my visit during a working weekday was very quiet, when more residents are at home I consider that it is likely that there would be more activity near to the appeal site. The deck would not be immediately next to any private residential amenity area or windows of neighbouring properties. Furthermore, the deck is over the top of an area that is currently a parking space next to the dwelling where some activity would normally be expected.
9. Noise on the deck would not be retained by the glass screens, but I am not convinced by the presented evidence that any additional activity in this position would generate significant sound. In relation to this main issue, the proposal would not have a harmful impact upon the living conditions of the occupiers of surrounding dwellings. There would be no significant impact upon residential amenity. In this respect the proposal would comply with LP Policy S1 and the requirement in paragraph 17 of the Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

#### **Other Matters**

10. The proposal has been subject to some support from neighbouring residents. However this and my conclusion on the second main issue do not outweigh my conclusion on the first main issue.

#### **Conclusion**

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

*Andy Harwood*

INSPECTOR

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<sup>1</sup> Teighnbridge Local Plan 2013-2033, adopted 6 May 2014