



Appeal Decision

Site visit made on 16 August 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 24 August 2017

Appeal Ref: APP/X1165/D/17/3179333

Beech Hurst, 6 Herbert Road, Cockington With Chelston, Torquay TQ2 6RW

- 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 Watson against the decision of Torbay Council.
 - The application Ref P/2017/0318/HA, dated 21 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is described as: "Demolition of existing lean to timber frame conservatory and store room, to be replaced by pitched roof extension to the side of the property, to include adding of deck area to extend existing deck/balcony to wrap around to new bi-fold doors. To rearrange garage access, blocking existing entrance off Herbert Road and moving garage door to be accessed from driveway. Re-instating sandstone boundary wall across where current garage access is".
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Decision

1. The appeal is allowed and planning permission is granted for the "demolition of existing lean to timber frame conservatory and store room, to be replaced by pitched roof extension to the side of the property, to include adding of deck area to extend existing deck/balcony to wrap around to new bi-fold doors. To rearrange garage access, blocking existing entrance off Herbert Road and moving garage door to be accessed from driveway. Re-instating sandstone boundary wall across where current garage access is" at Beech Hurst, 6 Herbert Road, Cockington With Chelston, Torquay TQ2 6RW in accordance with the terms of the application, Ref P/2017/0318/HA, dated 21 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: '05/05'; '05/07'; '06/07'; and '07/07'.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building. The wall proposed along the north-west street elevation shall be faced with stone to match the existing wall along that boundary.
 - 4) No development shall take place until details of the surface water drainage works for the development have been submitted to and approved in writing by the local planning authority. The agreed drainage works shall be implemented prior to the use of the development hereby approved.

Main Issue

2. Whether the proposal would preserve or enhance the character or appearance of the Chelston Conservation Area (CA).

Reasons

3. The appeal site is one half of a pair of what the Council refers to as a mirror-pair along with the adjoining property 'The Highlands'. Such dwellings are a characteristic of Herbert Road and the nearby roads within the CA. Many of the similar properties within this and surrounding roads are considered by the Council to be key buildings of architectural importance or which make a significant contribution to the townscape. The large pairs of buildings are laid out within spacious, landscaped grounds.
4. This pair of dwellings is set down much lower than the level of Herbert Road. The front boundary is defined by a substantial stone wall and a large flat roofed garage. The upper floors and roofs of the pair of buildings are noticeable above the wall. I could also see the side of the buildings through the accesses to each site. I could therefore see the large extension to the side of 'The Highlands' which has already unbalanced this pair of buildings. There is a harder appearance of the frontages along Herbert Road than the more verdant street-scene within St Matthews Road which is at a lower level to the south. Other buildings along Herbert Road have been subject to some substantial extensions and include outbuildings in prominent positions, such as Fairmount House.
5. The existing conservatory is to the side of Beech Hurst and is not prominent into Herbert Road, being set down within the site at the side and rear of the building. The proposed pitched roof extension to the side of the property would replace the conservatory. The extension would protrude further to the side than the conservatory. This would include a pitched, slated roof with the ridge running perpendicularly into the side of the building. The ridge of the structure would be below the bottom of the first floor windows set down within the site and only brief glimpses of it would be possible from the road. It would not be prominent within the street-scene and would not dominate the existing building or result in any significant loss of remaining symmetry between the adjoining pair of buildings.
6. Some views of the extension may be possible from the gardens to the south. However views of the structure and the altered veranda would be restricted by landscaping and only seen at a substantial distance given the substantial size of the rear garden. The proposal would not dominate the existing views of the building from the south and would not look discordant with it.
7. The proposed changes to the garage would involve the removal of the entrance door and construction of a sandstone wall across the front to match with the wall on either side. Access to the garage would then be achieved from the driveway through a new door. This would achieve a substantial improvement of the existing structure as seen from Herbert Road.
8. The proposed extension would have a neutral impact upon the existing building. The changes to the garage would be an enhancement of the street-scene along this part of Herbert Road. In relation to the main issue, the proposal would in part preserve and in part enhance the character and

appearance of the CA. This would comply with the Torbay Local Plan¹ Policies DE1, DE5 and SS10. In these respects, the proposal would constitute a good design, as required by paragraph 56 of the National Planning Policy Framework.

Conditions

9. I have amended the conditions suggested by the Council to ensure that they meet the tests set out in paragraph 206 of the Framework. The materials of each aspect of the proposal need to be addressed to ensure that both parts are constructed using materials that match the existing adjoining structures. I have included a condition requiring the submission of further surface water drainage details which simplifies the suggested wording. I have also imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Harwood

INSPECTOR

¹ Torbay Local Plan, A Landscape for Success, The Plan for Torbay: 2012 to 2030