



Appeal Decision

Site visit made on 7 November 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 23 November 2017

Appeal Ref: APP/X1165/D/17/3180320

39 Frobisher Green, Cockington with Chelston, Torquay TQ2 6JJ

- 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 & Mrs J Winston against the decision of Torbay Council.
 - The application Ref P/2017/0342/HA, dated 24 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 39 Frobisher Green, Cockington with Chelston, Torquay TQ2 6JJ in accordance with the terms of the application, Ref P/2017/0342/HA, dated 24 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:
1554-PL2 Rev A; 1554-PL1; 1554-S1; 1554-S2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposed development on the street scene.

Reasons

4. The appeal site is situated in a residential area characterised by pairs of semi-detached dwellings. Many of the dwellings have driveways to the side which separate them from the neighbouring semi-detached block and provide large separation gaps. A number of the properties nearby benefit from various alterations and additions which include examples of two storey side extensions

positioned in line with their host dwellings¹. In view of the large gaps between the properties, these extensions do not appear cramped and do not materially impact on either their host dwellings or the spacious character of their surroundings.

5. The proposal would involve the addition of a two storey side extension with a width of around 1.56m. The Council is concerned that the reduction in the separation gap between the appeal property and neighbouring No 37 would result in a cramped appearance which would detract from the spaciousness of the existing street scene.
6. I do not agree with the Council's assessment. In view of the size of the existing gap between these properties, sufficient separation would be retained to ensure that the proposed extension could be accommodated without resulting in a cramped or overdeveloped site. Furthermore, although I note that it would be positioned in line with the existing building, there are a number of similarly positioned extensions located nearby none of which materially impact on the visual aesthetic of the street scene. There is nothing to indicate that the modest extension proposed would have any greater impact.
7. Overall, I do not consider the proposal would materially impact on the existing street scene. Accordingly, I find no conflict with Policies DM1 or DM5 of the Torbay Local Plan 2012-2030 which, taken together, seek to ensure that domestic extensions are of a high quality design, integrate well with the existing street scene and do not result in a cramped or overdeveloped site.

Planning Conditions

8. The Council has suggested a number of planning conditions which they consider would be appropriate in the event that the appeal were to be allowed. In addition to the standard commencement condition, I agree that a condition requiring the development to be carried out in accordance with the approved plans is appropriate in order to provide certainty. Likewise, I consider a condition requiring matching materials to be used in the construction of the extension to be appropriate in the interests of character and appearance.

Conclusion

9. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Rory Cridland

INSPECTOR

¹ Including neighbouring No 43.