



Appeal Decision

Site visit made on 9 July 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 August 2019

Appeal Ref: APP/X1165/D/19/3228687

45 Thorne Park Road, Cockington With Chelston, Torquay TQ2 6RU

- 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 Anthony Gibson against the decision of Torbay Council.
 - The application Ref P/2019/0079, dated 20 January 2019, was refused by notice dated 12 March 2019.
 - The development proposed is described as "a hip-to-gable loft conversion to create first floor annexe for ancillary use to the ground floor. Front elevation Velux windows and rear elevation additional box dormers. First floor addition of Mansard dormer with enclosed terrace and glass balustrade to existing single storey flat roof extension. Loft conversion to provide lounge, kitchen / diner, study area and 1 double bedroom with en-suite".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the existing building and the character and appearance of the area.

Reasons

3. The appeal site is occupied by a detached bungalow constructed with brick and render to the walls and plain clay tiles to the hipped roof. It has a single storey flat roof rear extension. The property fronts onto Thorne Park Road, a residential street characterised by similar detached dwellings whose appearance has evolved through a variety of alterations and extensions.
4. The appeal property has a private rear garden enclosed by a mix of fencing, walls and planting. To the rear is Nut Bush Lane which is also residential in character but has a greater variety of housing designs and styles, including two-storey semi-detached houses opposite the site. Housing on this road has also been subject to a variety of alterations and extensions. The properties that flank the appeal site front onto Nut Bush Lane and are sited significantly forward of 45 Thorne Park Road when viewed from this street scene.
5. The proposal details a range of alterations and extensions to facilitate first floor annexe accommodation ancillary to the host dwelling. When viewed from Thorne Park Road, this would include most notably raising the roof at ridge level and adding gables to the sides of the main roof. This would add to the mass and bulk of the property. However, I note a similar mass, scale and form to existing properties in the Thorne Park Road street scene.

6. To the rear the proposal involves raising the eaves and ridge of the main roof, the introduction of flat roof dormers to the newly gabled main roof, and the introduction of a first floor on top of the existing flat roof rear extension. The form of this first floor extension would include a mansard style roof and an enclosed first floor terrace. The cumulative impact of these changes would be to substantially alter the scale, mass and form of the existing dwelling. The scale and mass of the built form would be greater, particularly with the first floor additions to the existing flat roof. The rear of the dwelling would appear cluttered and would not reflect good design. The existing elevation has a modest appearance, but the proposal would result in a dominant form of development. Therefore, the proposal would be harmful to the existing dwelling. I note the use of a sympathetic palette of materials, but this does not mitigate the harm I have identified.
7. The proposal would be set back from Nut Bush Lane by approximately 23 metres and would be sited behind a stone boundary wall and planting. Additionally, I have observed that the site is flanked by dwellings that are sited closer to the highway. In combination these factors provide some mitigation to the dominant and incongruous development and its impact on the character and appearance of the area. However, I have observed that the existing built form is visible and part of the Nut Bush Lane street scene. The increase in height, bulk and mass proposed will make it more visible.
8. I find that the cumulative impact of the proposals would result in a significantly harmful impact to the host building due to the additional bulk and mass, and the cluttered and incongruous form. Furthermore, the siting and context would not sufficiently mitigate the impact on the Nut Bush Lane street scene to avoid harming the character and appearance of the area.
9. I have noted the submissions in support of the development, including the appellant's comments within their appeal statement and appendices. However, they do not outweigh the harm I have identified above. They refer to the planning history of the site, of which I do not have full details and so I can afford this little weight. In any event each case must be considered on its own merits. Furthermore, I note the calculations in relation to the footprint of development compared to the neighbouring properties, but the issues I have identified go beyond assessments of development footprint and relate to the scale, mass and form of the proposal. Moreover, I have noted the many examples provided of alterations that exist in the local area. There are a variety of alterations, but none are identical to this proposal and so they do not set any precedent for this scheme. Nonetheless, I have had full regard to the existing context of Thorne Park Road and Nut Bush Lane in assessing this case on its own planning merits.
10. I conclude that the proposed development would harm the existing dwelling and the character and appearance of the area. It would conflict with the objectives of the adopted Torbay Local Plan 2012-2030 policies DE1 and DE5 which seek good design and to protect character and appearance.
11. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR