
Appeal Decision

Site visit made on 6 January 2020

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2020

Appeal Ref: APP/P1133/D/19/3238194

29 Underhay Close, Dawlish, Devon EX7 0FA

- 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 Mrs Patricia Bailey against the decision of Teignbridge District Council.
 - The application Ref 19/01219/FUL, dated 19 June 2019, was refused by notice dated 11 September 2019.
 - The development proposed is a front entrance porch.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development given on the application form is somewhat lengthy for what is, essentially, a front entrance porch. In the interests of clarity, I have therefore shortened the description of development in my heading above to reflect this.
3. At my site visit it appeared that a front porch similar to the proposal has been built on site but the roof covering had not been completed. The proposal before me would use roof tiles to match those used on the roof of the dwelling. I shall consider the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the dwelling and area.

Reasons

Character and appearance

5. Underhay Close comprises predominantly recently built residential properties. Although there is some variety in the house types, there is a coherent use of materials and detailing. Together with the nearby mature trees at the edges of the development, this creates a pleasant sub-urban street scene. The appeal property forms one of a pair of well-balanced, modest semi-detached houses exhibiting a simple well-proportioned front elevation, which, although staggered in height, together contribute positively to the street scene.

6. The proposed front porch is comprised chiefly of glass panels, with a tiled hipped roof and projects forward of the front elevation by approximately 2 metres. It replaces the former simple pitched canopy over the main doorway. Notwithstanding the extensive use of glass, the degree of projection, extended width and use of a hipped roof introduces a bulky component to the built form that is out of proportion to the scale of the main entrance doorway and the modest dwelling overall. Furthermore, this undermines the balanced symmetrical appearance of the pair of semi-detached dwellings and would be out of keeping with the generally open sided canopy porches seen on other dwellings nearby.
7. In addition, the position of the door opening to the side, rather than aligning with the main front entrance, detracts from the simplicity and legibility of the principal elevation. The resulting impact is prominent given that it involves the front and most public elevation of the building. As such, increased landscaping at the front of the dwelling would not fully overcome my concerns.
8. In support of the proposal, the appellant highlights that UPVC glass windows are already present in the building and that the roof tiles will match those on the main roof. Be that as it may, this does not address, nor outweigh, the harm arising from the scale and bulk of the development. Although I accept that the floor space of the porch is relatively modest, for the reasons outlined above, in this context it appears disproportionate to the principal elevation.
9. Reference is made to the limited number of people who would use this part of Underhay Close, as well as the screening provided by 25 Underhay Close. Whilst this may limit the visual impact to a degree, it does not justify a development that is harmful to the character and appearance of the area. Furthermore, I observed the proximity of the pedestrian route to the south of the appeal site, from which clear views of the porch were possible.
10. I have taken into account the representations of support from local residents who consider that the porch would not be harmful to the character and appearance of the area. Nevertheless, I am required to make my own assessment of the merits of the scheme based on the entirety of the evidence before me, including my own observations.
11. Accordingly, I find that the proposal is harmful to the character and appearance of the dwelling and area. Therefore, it is contrary to policy WE8 of the Teignbridge Local Plan, May 2014 which, amongst other matters, requires domestic extensions to complement the design of the building and character of the existing residential area. It specifically refers to the scale of developments being appropriate to the existing building such that they avoid having a dominant impact on the street-scene.

Other matters

12. The proposal would benefit the appellant as it would improve her ability to enjoy increased levels of light and comfort and may increase thermal insulation for the property. My attention has been drawn to how this would particularly enhance the environment for, and therefore the well-being of, more vulnerable guests, given that the appellant regularly provides respite to caring families in her work for the Shared Lives charity. Nevertheless, the evidence does not indicate that the specific form of the porch proposed is a pre-requisite for continuing or fulfilling this role. Moreover, whilst the porch may increase

opportunities for sitting out, given that it is accessed off the front hall with an intervening front door¹, it would otherwise do little to improve the levels of light enjoyed within the main rooms of the property. Therefore overall, these benefits attract limited weight in favour of the proposal but would not outweigh the harm that would result to the front elevation of the property.

13. Representations received in support of the proposal point to the lack of harm to the living conditions of neighbours. However, the absence of harm in this respect does not count in favour of the proposal, as this would be a requirement of the development plan policy in any event.
14. I appreciate that my decision will be a disappointment to the appellant, and I have also noted the many representations that attest to her good character and charitable work, which I do not doubt. However, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise². The reasons put forward do not justify my determining the development other than in accordance with the adopted development plan.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector

¹ Proposed ground floor plan

² Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.