
Appeal Decision

Site visit made on 18 February 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2020

Appeal Ref: APP/X1165/D/19/3241002
106 Gibson Road, Paignton, Devon TQ4 7LT

- 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 Tony Smith against the decision of Torbay Council.
 - The application Ref P/2019/0934, dated 28 August 2019, was refused by notice dated 5 November 2019.
 - The development proposed is described as a "single storey two bedroom and toilet extension to the side of 106 Gibson Rd attached with car parking space".
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Decision

1. The appeal is allowed and planning permission is granted for single storey two bedroom and toilet extension with car parking space at 106 Gibson Road, Paignton, Devon TQ4 7LT in accordance with the terms of the application, Ref P/2019/0934, dated 28 August 2019, 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: Drawing Numbers ADL-304/03, 109, 111, 112 and 113
 - 3) All external materials to be used in the works hereby permitted shall match those used in the existing building.
 - 4) The car parking space shall be provided prior to first use of the extension hereby permitted and shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

Procedural Matter

2. I have amended the description of development to omit reference to elements which are not acts of development i.e. the address. This is reflected in the formal decision above.

Main Issues

3. The main issues raised in this case are the effect of the proposal on:
 - i) the character and appearance of the area, and
 - ii) highway safety.

Reasons

Character and appearance

4. The appeal property comprises a two-storey, semi-detached property located within an area characterised by residential development. The dwelling benefits from a rear and side garden, with off-road parking to the front. There is variety in the design and form of properties within the area, including both detached and semi-detached properties, as well as two-storey and single-storey dwellings.
5. The scheme proposes the addition of a single-storey, flat-roofed extension to the side elevation of the property, together with the inclusion of an additional off-road parking space, positioned within the side garden. Whilst I note the Council's concern that the extension would reduce the openness of the corner plot, the extension would not extend to the edge of the plot and a large enough open space would remain to the side so that the open and spacious appearance of the corner would be retained. I note that a parking space is proposed within this remaining open area, however parking spaces between dwellings and the road are common in the area and do not undermine the spacious character of the vicinity.
6. The proposed extension would have a flat roof. I observed that flat-roofed features were present within the surrounding area and were in fact present on the host property itself. The entrance porch to the property to the front elevation is under a flat roof, as was that of the attached property. Further dwellings in the area have the same arrangement, whilst some single storey properties also have flat-roofed porches. I also noted the presence of flat-roofed garages, both detached and attached to dwellings, in the wider area. The use of a flat roof to the proposed extension would therefore reflect the context and would not appear as an incongruous or unsightly addition. The scale of the extension is such that it would appear subservient to the existing property. Any disruption to the building line along Ashburn Walk would be minimal and not of such an extent as to be harmful.
7. Thus, I find that the proposal would have an acceptable effect on the character and appearance of the area, in accordance with policies DE1 and DE5 of the Torbay Local Plan (adopted 2015) (the Local Plan) and policy PNP1(c) of the Paignton Neighbourhood Plan (adopted 2019). Together, and amongst other things these policies seek to ensure that development acknowledges local character, that extensions to domestic dwellings do not have adverse effects on character or appearance and that development is in keeping with the surroundings, respecting design. The scheme would also comply with the design aims of the National Planning Policy Framework.

Highway safety

8. The scheme proposes an additional parking space within the side garden, alongside the proposed extension. A new access off the adjacent road would be formed. The parking space would be provided parallel to the road, which may in some instances require a vehicle to undertake multiple manoeuvres in order to enter the site. However, I observed that much of the parking provision for dwellings within the area lacked the ability for vehicles to turn within plots. As a consequence, reversing manoeuvres on the highway would be a common occurrence within the area. Given the residential nature of the area, I consider

that traffic speeds would likely be low and as a result, the possibility of vehicles undertaking additional movements when entering or exiting the site would not be likely to result in any detriment to highway safety, particularly given the likely traffic movements that would be associated with the use of this single parking space. The Council refer to the proposal not complying with the Highways Development Control Standing Advice for Minor Development; however, I have not been provided with a copy of this advice. In any event, for the reasons above, I find that the arrangement would not result in harm.

9. I have been provided with Appendix F of the Local Plan, which sets out car parking requirements for differing types of development. For domestic extensions, this requires the provision of 1 parking space per 2 bedrooms. As a single space is proposed and the scheme comprises two bedrooms, the scheme would comply with these recommended requirements.
10. Accordingly, I find that the proposal would not result in any detriment to highway safety. The scheme would accord with policies TA2 and TA3 of the Local Plan, insofar as they require development to provide vehicular access to a safe standard and require adequate parking provision.

Other Matters

11. The Council's Officer's report makes reference to a possible condition in respect of drainage. However, no such condition has been provided and as such I am unable to conclude that a condition is necessary in this regard.

Conditions

12. I have imposed a plans condition in the interests of certainty. A condition requiring the external works to match the existing building is necessary to safeguard the character and appearance of the area. In the interests of highway safety, I have imposed a condition requiring the construction of the parking space.

Conclusion

13. For the reasons given above and having had regard to all other matters raised, it is concluded that the appeal should succeed, and planning permission should be granted.

Martin Allen

INSPECTOR