
Appeal Decision

Site visit made on 25 February 2020

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2020

Appeal Ref: APP/X1165/D/20/3246475
67 Davies Avenue, Paignton TQ4 7AW

- 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 A Andrews against the decision of Torbay Council.
 - The application Ref P/2019/1241, dated 21 November 2019, was refused by notice dated 8 January 2020.
 - The development proposed is a porch / WC & garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Davies Avenue is a residential area, properties are set well back from the road, with associated driveways and front gardens. There is no special designation to the area (or the property) yet there is an open feel, albeit occasionally punctuated by boundary treatment, positively contributing to the character and appearance of the area. No 67 Davies Avenue and No 58 opposite form a visual gateway where the configuration of properties in plots changes from a common building line of bungalows on one side to semi detached two storey properties, set farther back from the roadside, giving those two properties a prominent position on the road.
4. Over time numerous additions and alterations appear to have been made to the two storey properties. Front alterations appear common, including porches, garage conversions and other modest extensions which do not unbalance pairs of properties. Therefore, although the individual buildings might be unremarkable, they nevertheless contribute to a relatively well ordered streetscape and an area with a positive character and appearance.
5. Nos 65 and 67 form a semi detached pair, both appear to have been extensively altered over time but nevertheless both properties retain a close similarity with one another albeit the front two storey wing of No 65 projects slightly further forward than that of the front of the appeal property.
6. The development would fit within the existing driveway and still accommodate off road parking, the size though would greatly change the appearance of the

pair of properties as the proposal would extend No 67 well beyond that of No 65. Such a large protrusion to the front, by reason of the degree of projection beyond the existing two storey elevation would unbalance the appearance of the two properties and stand in harmful contrast to the predominant character of the area in which altered properties generally retain considerable familiarity in pairs without compromising the underlying open feel of the road and building line. Similarly given the visual gateway the appeal property forms on the road such alteration would be further pronounced.

7. The proposal includes design measures attempting to break up the scale of the extension and use materials similar to that nearby. However, these measures would not alleviate the harm to the area's character and appearance given the development's overall massing, footprint and positioning in the context of its surrounds. Existing vegetation at the southern boundary of No 65 would not provide meaningful screening to reduce this harm.
8. Therefore, the proposed development does not accord with the Torbay Local Plan 2012-2030, adopted 2015, Policies DE1 and DE5 which together along with other considerations and criteria, seek to ensure design relates to the surrounding built environment in terms of scale, height and massing and that extensions do not adversely affect the area's character and appearance. Similarly, the proposal does not conform with the Paignton Neighbourhood Plan 2012-30, adopted 2019, Policy PNP1(c) which amongst other criteria seeks to ensure development is in keeping with its surrounds.

Other matters

9. I note that there were no objections from neighbours to the proposals and the appellant points out that future living conditions of neighbours would be unaffected and accord with national policy in that regard. However, the avoidance of harm in these respects does not amount to a positive consideration in support of the appeal.
10. I note the appellant's view that by virtue of no objections being received from neighbours that the development would not adversely harm others. However, the avoidance of harm in these respects does not amount to a positive consideration in support of the appeal.

Conclusion

For the reasoning above the appeal is dismissed.

M Scriven

INSPECTOR