
Appeal Decision

Site visit made on 21 July 2020

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 30 July 2020

Appeal Ref: APP/X1165/D/20/3248658

21 Court Road, Torquay TQ2 6SE

- 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 E Billingham against the decision of Torbay Council.
 - The application Ref P/2019/1101, dated 15 October 2019, was refused by notice dated 30 January 2020.
 - The development proposed is a two storey extension and raised decking to rear.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey extension and raised decking to rear at 21 Court Road, Torquay, TQ2 6SE, in accordance with the terms of the application, Ref: P/2019/1101, dated 15 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby approved shall in all respects accord strictly with drawing numbers: Flood Risk Assessment-P2019-1101-1, Ecological Assessment-P2019-1101-2, Site Location-19.32 001, Existing Internal-19.32 002 (Version (GF&FF)), Existing Elevations-19.32 003, Proposed Internal-19.32 004 (Version (GF&FF)) received by the Local Planning Authority on 15 October 2019 and Existing Elevations- 19.32 003A received by the Local Planning Authority on 21 October 2019 and Proposed Elevations-19.32 005A received by the Local Planning Authority on 28 October 2019.
 - 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing dwelling.

Procedural Matters

2. In the interests of accuracy and consistency, I have used the address for the proposed development as provided on the appeal form and on the Council's decision notice. Furthermore, I have amended the original description of development to reflect that provided within the Council's decision notice and as stated at section E of the appeal form.

Main Issues

3. The main issues are:

- The effect of the proposed development on the character and appearance of the area and the host building; and,
- The effect of the proposed parking arrangement on highway safety within Court Road.

Reasons

Character and Appearance

4. The appeal property is a detached chalet bungalow located within a predominantly residential area. Dwellings within this residential area exhibit a variety of designs and styles, with a significant number of dwellings having been altered or extended. To the front of dwellings near to the appeal site, roof slopes are generally steeply pitched, although some have been extended to provide dormers within the front elevations. Separation distances between the dwellings are such that glimpsed views of the side elevations of dwellings would be possible from the pedestrian footway to the front of the appeal property.
5. The extension would be large relative to the existing property, extending to the full width of the host dwelling. However, it would be somewhat hidden from views within Court Road behind the largely unaltered front elevation of the host dwelling and, by reason of its roof height and shallow pitched roof design, the extension would be identifiable as a later subservient addition to the property, ensuring that the original building remained discernible from the glimpsed views which would be obtained from Court Road. I note that steeply sloping pitched roofs on the front elevations of nearby dwellings are characteristic of the area, and in this regard the proposal would maintain the steeply pitched roof at the front of the dwelling.
6. Furthermore, whilst I acknowledge that the proposal would alter the appearance of the host building when viewed from the rear of the dwelling, it is noted that there are other examples of dwellings within Court Road close to the appeal site which have been similarly extended to the rear by a significant amount. In my view, in terms of scale and design the proposal would replicate the character and appearance of those buildings close to the appeal site which have been significantly extended to the rear and which include a variety of roof forms including flat roofed extensions.
7. In terms of the proposed materials, it is apparent that the proposed extension has been designed to reflect the appearance of the appeal property and, in this regard, the proposed extension respects the host dwelling. Notwithstanding this, the proposal did not provide detailed information with regards to the proposed roofing materials, and I conclude that in order to maintain the character of the building as a whole, such materials should match that of the existing building. I shall return to this matter in the Conditions section below.
8. As a result of my findings above, I do not consider that the proposed extension would adversely affect the character or appearance of the host building and would not appear as an incongruous feature in street scene views. Accordingly, the proposal would not adversely affect the character and appearance of this

residential area. The appeal scheme would therefore comply with Policies DE1 and DE5 of the Torbay Local Plan 2012-2030¹ (the Local Plan) and Policy TH8 of the Torquay Neighbourhood Plan² (the Neighbourhood Plan) which, together and amongst other matters, seeks to ensure that development is well designed and respects local character. For the same reasons the proposal would accord with those parts of the National Planning Policy Framework which require that development is of high quality design which respects the local context.

Parking Provision

9. Policy TA3 of the Local Plan requires parking to be provided in accordance with Appendix F of the Local Plan. Appendix F of the Local Plan confirms that two spaces should be provided per residential dwelling and that with regards to domestic extensions, proposals should also provide one additional parking space per two additional bedrooms.
10. From the evidence before me and from observations made on my site visit, the appeal property has an area of hardstanding adjacent to the south-eastern side boundary which provides two off-street parking spaces for vehicles. Accordingly, the existing arrangements meet the requirements of Appendix F of the Local Plan.
11. The Council maintains that three parking spaces should be provided to serve the proposed development, by reason of the overall increase in living space, and specifically the inclusion of a study, at the appeal dwelling. However, the proposed building seeks to introduce one additional bedroom and would therefore fall below the threshold set out within Appendix F of the Local Plan. Accordingly, it appears that maintaining the existing provision of two spaces on the site would be acceptable.
12. Even in the event that a third space were to be required, the Appellant, as part of their submissions, has indicated that additional parking would be provided to the front of the dwelling within the north western section of the site under permitted development rights. In this regard, at the time of my site visit I observed that an area in the north western section of the site to the front of the dwelling had been given over to parking, and that a vehicle was parked within that space. That vehicle sat comfortably within the boundary of the appeal site and did not cause any obstruction to the pedestrian footway or adjacent highway.
13. For these reasons, I conclude that the proposal would not lead to the provision of space below the adopted parking standards or result in an unacceptable increase in pressure for on street parking within the area. The proposed parking arrangement would therefore not adversely affect the amenity of residents within Court Road nor would be detrimental to highway safety. Consequently, the proposal would not conflict with Policy TA3 or Appendix F of the Local Plan. Furthermore, the scheme would comply with the requirements of Policy TH9 of the Neighbourhood Plan which requires that parking provision is in accordance with the Local Plan so as to avoid adverse impacts with regard to conflict within the community.

¹ Adopted December 2015

² Adopted June 2019

Conditions

14. In addition to the standard three year period implementation condition, which is a statutory requirement, it is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord. As noted above, in order to protect the character and appearance of the host dwelling, I am attaching a condition requiring materials used in the construction of the external surfaces of the development to match those used in the existing building.

Conclusions

15. For the reasons given above, the appeal succeeds and planning permission is granted subject to the conditions identified.

A Spencer-Peet

INSPECTOR