



Appeal Decision

Site Visit made on 15 September 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020

Appeal Ref: APP/X1165/D/20/3255555

31 Barnfield Road, Cockington with Chelston, Torquay, TQ2 6TA

- 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 & Ms Young & Simmons against the decision of Torbay Council.
 - The application Ref P/2019/1356, dated 20 December 2019, was refused by notice dated 5 June 2020.
 - The development proposed is extension to dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for extension to dwellinghouse at 31 Barnfield Road, Cockington with Chelston, Torquay, TQ2 6TA, in accordance with the terms of the application, Ref P/2019/1356, dated 20 December 2019, subject to the conditions in the attached schedule.

Main Issue

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

Reasons

3. The appeal dwelling is a flat roof dwelling spread across two storeys but with one below street level owing to the steep topography of the area. It is largely screened from view from the roadside by the existing evergreen boundary hedge, though there is a pedestrian gate and separate opening to allow access onto the cantilevered driveway and integral garage. From the sloping rear garden, the two storey height and horizontality of the dwelling can be better understood and the way in which it is nestled in between substantial side hedgerow boundaries affords it a good degree of privacy.
4. The proposal seeks to add a second storey extension with a flat roof, inset from the main roof, including a front Juliette balcony and rear balcony. It would also include a double-storey extension to the southern side and front elevations comprising an enlarged integral garage, widening of the cantilevered driveway and other alterations, to include the addition of cladding to some areas of the dwelling.
5. The surrounding area largely comprises detached dwellings set within spacious plots. Due to the area's verdant qualities and the spaciousness of the public realm, the area has a gentle and pleasant character. Dwellings take a significant variety of forms and have very varied architectural expressions, some more modest than others. Whilst traditional pitched and hipped roofs are

- a prevalent feature, there are mansard roofs, flat roofs and asymmetric forms to be found in surrounding streets.
6. Whilst those dwellings closest to the site are largely more traditional in their form and appearance, the wider context is made up of a number of quite architecturally different, yet, luxuriant houses, that coexist within a more dominant and spacious street pattern with a richness provided by trees and greenery. The degree of individuality possessed by the dwellings is a positive attribute and one which is found elsewhere in Torquay, as can be easily appreciated looking down onto the roofscape of the town from Barnfield Road.
 7. Though the proposal would be more visible through the opening of some of the frontage and its increased height, there is a conspicuousness in the manner that it currently presents a 'gap' in the street scene. In this sense, despite not filling the gap with a traditional pitched roof form, the proposal would infill some of the space with an extension consistent with the existing style of the dwelling, and would add further variety within the street scene without harm to its overall varied character or appearance. With specific reference to the uppermost extension, its edges would be set in from the outer walls to achieve an appropriate scale. Its overall height would also be balanced when viewed in comparison with the dwellings on either side.
 8. The introduction of taller windows in the upper storey and the use of modern materials throughout would not be particularly noteworthy, given the precedent for the use of these features in neighbouring dwellings. Lastly, the removal of some of the front hedge would also be acceptable, given the barrier that it currently presents to any interaction of the appeal dwelling with the street.
 9. In view of this main issue, the proposal would not harm the character and appearance of the area and would therefore comply with Policies DE1 and DE5 of the Torbay Local Plan 2012 - 2030 (adopted 2015), which seek to ensure that development is well-designed, and that extensions avoid adverse effects on the character or appearance of the original dwelling or on the street scene in general. It would also comply with Policy TH8 of the Torquay Neighbourhood Plan (adopted 2019) which requires development to display good quality design, respect the local character in terms of height, scale and bulk, and reflect the identity of its surroundings.

Other Matters

10. Whilst a number of neighbouring occupiers have written in objection to the scheme, the main concerns relate to the effects on the scheme's scale, character and visual amenities of the area, which I have addressed above.
11. In relation to privacy effects, the Council indicated that owing to the number and placement of new windows, along with the use of obscure glazing for some windows and the balcony privacy screens, the proposal would not result in harm to the living conditions of neighbouring occupiers. I have no reason to reach an alternative view in this regard, although there is a need for conditions in relation to these mitigation measures where specified.

Conditions

12. In addition to the statutory time limit, a condition specifying the approved plans is necessary in the interests of certainty.

13. Whilst the Council suggested a matching materials condition, the proposal includes materials that vary from the existing render and brick exterior. As such, a condition is necessary to ensure that the materials to be used in the external surfaces of the proposal shall be agreed prior to their use in order to maintain the area's appearance.
14. In order to maintain the privacy of neighbouring occupiers, a condition is required to ensure the use of obscured glazing and obscured glazed balcony privacy screens where specified.

Conclusion

15. The proposal accords with the development plan and there are no considerations of sufficient materiality to suggest that a decision should be taken other than in accordance therewith.
16. For the reasons set out above and having regard to all other matters raised, the appeal is allowed.

Hollie Nicholls

INSPECTOR

SCHEDULE OF 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:
 - OS Map/Site Location, dated 5 July 2019
 - Block Plan, scale 1:500 received 23.12.2019
 - Proposed ground floor and first floor plans, Ref 919/3, dated Oct 2019
 - Proposed second floor plan and elevation with neighbouring roof heights, Ref 919/4, dated October 2019
 - Proposed East and West elevations, Ref 919/5, dated October 2019
 - Street scene, plan Ref 919/7, received 06.01.20
 - Proposed North and South elevations, Ref 919/6, dated October 2019
- 3) Prior to their first use in the development hereby permitted, details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and shall be retained and maintained in that condition for the lifetime of the development hereby permitted.
- 4) Prior to the occupation of the extension hereby approved, the two second-floor windows in the northern side elevation of the development hereby approved shall be fitted with obscure glazing to Pilkington level 4, or an equivalent standard. These windows shall be fixed shut unless opening parts are located higher than 1.7m above finished floor level or they are fitted with a 100mm opening restrictor. These windows shall thereafter be retained and maintained in that condition for the lifetime of the development hereby permitted.
- 5) Prior to the second-floor rear balcony hereby approved being brought into use, 2.1m high obscure glazed privacy screens (to a minimum of Pilkington Level 3 or similar standard) shall be erected on the balcony's northern and southern sides in accordance with the approved plans, reference 919-6 (S & N), received 23.12.2019, and shall thereafter be retained and maintained in that condition for the lifetime of the development hereby permitted.