



Appeal Decision

Site visit made on 14 July 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2021

Appeal Ref: APP/X1165/W/21/3272520

Pendennis Residential Home, 64 Dartmouth Road, Paignton TQ4 5AW

- 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 R Jupp against the decision of Torbay Council.
 - The application Ref P/2020/1292, dated 15 December 2020, was refused by notice dated 3 March 2021.
 - The development proposed is the erection of single-story orangery extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of single-story orangery extension at Pendennis Residential Home, 64 Dartmouth Road, Paignton TQ4 5AW in accordance with the terms of the application Ref P/2020/1292, dated 15 December 2020, subject to these 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: 1173-19-SLP, 1173-19-3500, 1173-19-3501, 1173-19-3502, 1173-19-3503, 1173-19-3504, 1173-19-3600, 1173-19-3601, 1173-19-3602, 1173-19-3603.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the Old Paignton Conservation Area (the CA).

Reasons

3. Pendennis Residential Home (PRH) is a large detached building situated along Dartmouth Road within the CA. The significance of this part of the CA derives from its development as a cohesive late Victorian and early Edwardian suburb. Dartmouth Road is flanked by elegant rows of houses of these periods, with buildings on the west side of the street, including PRH, set above and back from limestone retaining walls and behind dense hedges.
4. Despite several extensions and alterations, PRH's core form continues to provide high quality architectural detailing, such as its corner turrets and gables, which lead the building to make a positive contribution to the CA's significance. This is reflected by its status as a key building within the Old Paignton Conservation Area Appraisal (2007).

5. Whilst the extension would be reasonably large, it would be a proportionate and subservient addition to PRH when the building is considered as a whole, regardless of whether PRH's other extensions with extant permission are carried out¹. Although it would not mimic PRH's historic architectural approach, the extension, being in a lightweight orangery style under a flat roof hidden behind parapets and punctuated by a lantern roof, has integrity. It would read as an honest and respectful addition to the building,
6. The extension would, however, breach a discernible building line on this side of Dartmouth Road. That said, the negative effects of this would be reduced because PRH is orientated to the south and does not, and it appears has never, fronted Dartmouth Road. On the other hand, the orangery would be slightly set back away from the south east corner turret, which would allow for its turned form to be fully appreciated. This would modestly better reveal the significance of the CA compared to the existing extension it would replace which, although smaller, wraps around and overwhelms this important feature at ground floor level. The overall effects of the scheme would therefore be neutral, and the character and appearance of the CA would be preserved.
7. As such, I conclude that the proposal would have an acceptable effect on the character and appearance of the area, bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the CA. It would accord with the design and heritage aims of Policies DE1 and SS10 of the Torbay Local Plan 2021-2030 (adopted 2015) (TLP), Policy PNP1(c) of the Paignton Neighbourhood Plan (made 2019) and the National Planning Policy Framework. As the existing site does not contain a dwellinghouse, Policy DE5 of the TLP does not apply.

Conditions and Conclusion

8. In addition to the standard time condition, a condition is needed to define the approved plans in the interest of certainty.
9. For the reasons outlined above, and taking all other matters raised into account, I shall allow the appeal, subject to conditions.

Matthew Jones

INSPECTOR

¹ Ref P2020/0540