



Appeal Decision

Site visit made on 3 November 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2021

Appeal Ref: APP/X1165/D/21/3278903

11 Grosvenor Close, Shiphay With Willows, Torquay TQ2 7LB

- 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 Lauren Finney against the decision of Torbay Council.
 - The application Ref P/2021/0117, dated 31 January 2021, was refused by notice dated 14 May 2021.
 - The development proposed is additional off-street parking provision.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and,
 - the living conditions of the occupants of 13 Grosvenor Close, with particular regard to outlook and light.

Reasons

Character and appearance

3. Grosvenor Close is a suburban street with groupings of dwellings in different designs, unified by lengths of low, red brick walling, which delineates private and public space. No 11 and its attached neighbour No 13 belong to a collection of dwellings formed in pairs which are set down below the highway. They are largely symmetrical in design and are bookended by integral garages, with the gap between them and the highway bridged by novel, elevated driveways.
4. The parking structure would necessitate the removal of a section of the brick boundary wall. It would reduce the legibility of No 11's driveway as an integral feature of the building's design, and the symmetry between No 11 and No 13 would also be lessened. I note that the other next-door property has undertaken similar work. However, I observed on my visit that it is a detached and asymmetrical building which reads as somewhat of a one off in the street. It does not, therefore, serve to justify the harm that would arise in this case.
5. Accordingly, I conclude on this issue that the proposal would have an unacceptable effect on the character and appearance of the area. It would conflict with the design aims of Policies DE1 of the Torbay Local Plan 2012-2030 (adopted 2015) (TLP), Policy TH8 of the Torquay Neighbourhood Plan (made 2019) and the National Planning Policy Framework (the Framework).

Living conditions – No 13

6. The ground floor openings at the front of Nos 11 and 13 have access to outlook and light from above, despite their location below street level. The proposed parking platform would maintain a side profile and height akin to or less than the existing boundary fence in front the properties. It would therefore, alone, have little additional effect. That being said, a standing vehicle upon the parking area would be of such scale and height that outlook from and light to the front window of No 13 would be unacceptably reduced in my opinion.
7. Consequently, I conclude on this issue that the proposal would have an unacceptable effect on the living conditions of the occupants of 13 Grosvenor Close, with particular regard to outlook and light. It would conflict with the residential amenity aims of Policy DE3 of the TLP and the Framework.

Planning Balance

8. The scheme would potentially lessen parking pressure within the public highway. However, this benefit would not outweigh the harm to the character and appearance of the area and the living conditions of occupants within No 13. I therefore find that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, which outweigh this conflict.

Conclusion

9. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR