



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: 09 November 2021

Appeal Ref: APP/X1165/D/21/3278161

19 Avon Road, Shiphay With Willows, Torquay TQ2 7LU

- 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 K McGovern against the decision of Torbay Council.
 - The application Ref P/2021/0273, dated 8 March 2021, was refused by notice dated 29 April 2021.
 - The development proposed is first floor extension over existing flat roof construction.
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Decision

1. The appeal is allowed and planning permission is granted for first floor extension over existing flat roof construction at 19 Avon Road, Shiphay With Willows, Torquay TQ2 7LU in accordance with the terms of the application, Ref: P/2021/0273, dated 8 March 2021, subject to the following 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: 1604-01 Rev B, 1604-02 Rev C, 1604-03 Rev D.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Main Issue

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

Reasons

3. Avon Road is a planned suburban street of terraced and semi-detached houses in a fairly spacious layout. The terraces are short, symmetrical and bookended by gable ended facades. No 19 occupies the end property within one such terrace and is adjacent to a semi-detached property, No 17.
4. The extension would be set down from the front roof profile and ridge of the terrace and would therefore read as deferential to and distinct from the original roof arrangement. Its width would be modest when considered against the terrace building as a whole. For these reasons, the integrity of the terrace and the legibility of its original, symmetrical form would be respected.
5. Whilst the street is characterised by gaps between buildings, they are not all symmetrical or consistent in width. Indeed, there are several narrower gaps between the building types, which would be comparable to the residual gap that would be created between No 19 and No 17 in this case.

6. Consequently, it is my conclusion that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the design aims of Policies DE1 and DE5 of the Torbay Local Plan 2021-2030 (adopted 2015), Policy TH8 of the Torquay Neighbourhood Plan (made 2019) and the National Planning Policy Framework.

Conditions and Conclusion

7. In addition to the standard time condition, a condition is necessary to define the approved plans in the interest of certainty. To assimilate the extension into the terrace, a condition is necessary to ensure that the materials used in the development match the existing building.
8. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be allowed.

Matthew Jones

INSPECTOR