



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: 10 November 2021

Appeal Ref: APP/X1165/D/21/3278086

45 Hodson Close, Paignton TQ3 3NS

- 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 Welby against the decision of Torbay Council.
- The application Ref P/2021/0269, dated 5 March 2021, was refused by notice dated 30 April 2021.
- The development proposed is formation of a single storey replacement extension and an associated loft conversion.

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Hodson Close has a variety of building types, but in the vicinity of the site it is fronted by groups of connected, largely symmetrical bungalows, characterised by their modest profile and their quite uncluttered, pitched roofs.
4. No 45 is at the end of one such group. The front dormers, despite their pitched roofs, would be overly large additions which would compromise the uncluttered and symmetrical roof arrangement of the building to which it forms part. Given the position of No 45 aside a garage block and access road, its side elevation is prominent within the close. The front and back enlargements would visually combine to create a dominant top-heavy aesthetic at odds with the proportions and low-profile simplicity of the bungalow's design. As an issue of scale and bulk, this would not be mitigated by matching materials with those existing.
5. No 49 has a similar rear dormer. However, as that property is located within the row, the dormer is far less publicly visible. It is also not seen together with a dormer to its front. I have been referred to several existing or permitted dormers in the wider area. However, they are not part of this collection of bungalows. Matters surrounding character and appearance are site specific and fact sensitive, relying upon the exercise of planning judgement. As such, these other dormers do not serve to justify the harm that would arise in this case.
6. Consequently, I conclude 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 and DE5 of the Torbay Local Plan 2021-2030 (adopted 2015), Policy PNP1(c) of the Paignton Neighbourhood Plan (made 2019) and the National Planning Policy Framework (the Framework).

Other Matters

7. Reference has been made to the presumption in favour of sustainable development within Paragraph 11 of the Framework. However, there is no evidence that the policies which are most important for determining this appeal are out of date. As such, I do not consider that Paragraph 11d) is engaged.

Conclusion

8. The proposal would conflict with the development plan when read as a whole. There are no other considerations before me, including the Framework, which outweigh this conflict.
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