



Appeal Decision

Site visit made on 9 December 2021

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2021

Appeal Ref: APP/X1165/D/21/3284862

10 Tamar Avenue, Torquay TQ2 7LP

- 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 & Mrs H Howarth against the decision of Torbay Council.
 - The application Ref P/2021/0737, dated 16 June 2021, was refused by notice dated 9 August 2021.
 - The development proposed is a two storey side extension.
-

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. Tamar Avenue is one of a number of roads in this part of the settlement area which are characterised by the rhythmical and fairly consistent appearance of pairs of semi-detached dwellings. While many have single storey side extensions, at first floor level there is usually a distinct and appreciable spacing between the pairs of buildings. This separation, together with a set back of the dwellings behind often fairly spacious gardens and the presence of grassed verges and other modestly sized public open areas, provides a reasonably spacious character and appearance to the street scenes.
4. 10 Tamar Avenue is a semi-detached property with space at first floor level to the adjoining property at No 12 and, in this way, the property makes its own small, but worthwhile, contribution to the overall character and appearance of the area.
5. The two storey extension proposed to the site of No 10 would be set back from the front elevation of the building and would have a lower ridge than the main house. The bulk of the addition would appear subservient to the property and would be acceptably designed in terms of the dwelling itself.
6. However, the extension would come very close to the side boundary, and despite the setback, it would be a noticeable addition that would bridge part of the gap between No 10 and No 12. Views through the gap would be undermined and the reduction in spacing between these buildings would erode part of an important and positive feature of this line of semi-detached dwellings. This reduction of the gap, even with the first floor set back, would

lead to some element of a terracing effect at first floor level with No 12 in some angled views close to the site. Furthermore, the addition would unbalance this pair of semi-detached houses (No 8 and 10) and thereby would undermine the rhythmical appearance of the groups of buildings within this part of the street scene. Even if No 8 was extended in the same way this pair would still be at odds with the form and appearance of the other pairs in this run. As a result of these impacts, the extension would cause undue harm by not respecting the locally distinctive qualities that contribute positively to the character and appearance of the area.

7. A two storey side extension has been permitted to 11 Tamar Road, which is located broadly opposite the site. However, No 11 is set back from the adjoining property, No 13, and the relationship between properties and the effect of the extension on the spacing between buildings would be somewhat different from some others within this part of the street scene where there is a more linear run of buildings. Nevertheless, I accept that there are some similarities between the cases. While consistency between decisions is important, I am not convinced that the existence of this permission to extend No 11 should be used to justify the harm to the character and appearance of the area that I have identified would result from the appeal scheme. In these circumstances I attribute the permission at No 11 limited weight in support of the present proposal.
8. For the reasons explained, I conclude that the proposal would harm the character and appearance of the area. It would thereby conflict with Policies DE1 and DE5 of the Torbay Local Plan 2012-2030 and TH8 of the Torquay Neighbourhood Plan (adopted 2019) which seek, amongst other things, that an extension should not dominate or have other adverse effects on the character or appearance of the street scene in general.

Conclusion

9. The proposal would harm the character and appearance of the area and therefore would be contrary to the identified development plan policies. This policy conflict is such that the scheme would conflict with the development plan when considered as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

David Wyborn

INSPECTOR