



Appeal Decision

Site visit made on 18 January 2022

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/X1165/D/21/3280317

35 St. Marys Park, Blatchcombe, Paignton TQ4 7DA

- 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 Russell Dodgson against the decision of Torbay Council.
 - The application Ref P/2021/0065, dated 17 January 2021, was refused by notice dated 5 May 2021.
 - The development proposed is erection of timber frame lean-to shed/store up against the front of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant confirmed on the planning application form that work has commenced on site. I noted at my site visit that this is the case, but that the works have not been completed.

Main Issue

3. The main issues are:
 - The effect on the character and appearance of the area; and
 - Whether the proposal provides adequate provision for off-street parking.

Reasons

Character and Appearance

4. The host dwelling is set back from the pavement on rising land, such that it is set up from the road. The area to the front of the property is level with the road and provides off-street parking for the host dwelling. The properties in this predominantly residential area are bungalows in the main but I saw that many of them have been altered and extended over time such that there is a mix of styles with many having forward projecting extensions, which the appellant refers to in their appeal submission.
5. However, in the main, these appear as extensions to the dwelling being constructed in the same materials as the main dwelling and where they are positioned at lower ground floor level, many utilise the roof area as a balcony to the main house such that they appear integral to the dwelling.
6. By contrast, the appeal proposal would appear as a standalone construction, being accessed only from the parking area and finished in timber cladding. It's

size and external finish would result in a development which would appear at odds with the rest of the street scene. It's location at the back of the parking area does not prevent it from being viewed from outside of the site and the hedge along one of the boundaries only screens it from the west. As a result, I find that it would be incongruous.

7. I note that standalone storage buildings have been provided to the front of some properties but these tend to be limited in size. The appeal proposal would extend across the whole frontage of the property.
8. The appellant has suggested that materials other than timber cladding could be used on the external walls. Whilst this may be the case, I have determined the appeal on the basis of the information before me.
9. I find that the proposal would be contrary to Policies DE1 and DE5 of the Torbay Local Plan 2012-2030 adopted December 2015 (LP) and Policy PNP1(c) of the Paignton Neighbourhood Plan 2012-2030 adopted June 2019, together with paragraph 124 of the National Planning Policy Framework, insofar as they require well-designed proposals which are in keeping with their surroundings and respect the character or appearance of the street scene.

Parking Provision

10. The Council confirm that the proposal would maintain the existing vehicular access and off-street parking area to the front of the host dwelling. They refer to the Torbay Council 'Highways Design Guide for New Development' Revision 12 – July 2021 (HDG) which indicates that off-street parking spaces behind or adjacent to the adopted highway should be at least six metres long where the parking area is in front of a garage or a door. The plans indicate that even if the appeal proposal were permitted and constructed on site, the area between it and the pavement would be 8.8 metres and would therefore comply with this requirement.
11. However, the Council's case concerns the use of the appeal proposal itself for the parking of vehicles, which they say would not comply with the requirements of Policies TA2, TA3 and Appendix F of the LP which require the appropriate provision for parking including a single garage minimum internal dimension of 6 metres by 3.3 metres. I accept that the internal dimensions of the appeal proposal would not meet this requirement.
12. However, I have considered the submissions by the appellant and it is clear that the intention is to provide a store not a garage. Despite being under construction at the time of my visit, I found that the appeal proposal was being used for domestic storage and that its size and limited width of the opening on the front would mean that it would not be possible, and certainly not practical, to use the area created for the parking of vehicles other than a motorbike. I am satisfied that the appeal proposal relates to the provision of a store to be used ancillary to the host dwelling and as such I find no conflict with Policies TA2, TA3 and Appendix F of the LP and the guidance contained within the HDG.

Other Matters

13. Whilst I note the letters of support from neighbouring occupiers, the appellants need for storage at the property and the proposal for managing surface water run-off, it does not alter my view regarding the impact that the appeal proposal would have on the street scene.

14. Similarly, I find that a proposed major residential development at Collaton St Mary which the appellant says would be highly visible from the appeal property, does not alter the impact that the appeal proposal would have on the character and appearance of the immediate area.

Conclusion

15. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR