



Appeal Decision

Site visit made on 12 July 2022 by R Dickson BSc (hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2022

Appeal Ref: APP/X1165/D/22/3298628

10 Louville Close, Torbay, Paignton TQ4 6RB

- 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 Ms Janet Grinsell against the decision of Torbay Council.
 - The application Ref P2022/0192, dated 9 February 2022, was refused by notice dated 14 April 2022.
 - The development proposed is raising roof to create additional bedroom with rear balcony.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and street scene.

Reasons for the Recommendation

4. Louville Close is a residential cul-de-sac characterised by a mixture of house types that are consistent in style and materials. The properties on Louville Close are two-storey detached properties built close together, making the cul-de-sac feel enclosed.
5. The proposed increase in height would be a dominant addition to the host property and would increase the amount of blank wall facing Louville Close, which would give the appearance of a rear elevation facing the cul-de-sac. This is in contrary to other properties on Louville Close, which have a clear front elevation. The scale of the proposed development would therefore be out of character with the street scene and would overly-dominate the cul-de-sac. The increase in height would be excessive given the enclosed and narrow nature of Louville Close and would only add to the enclosure of Louville Close.
6. The materials proposed would match the existing external materials, however this would not outweigh the harm caused by the over dominant scale of the proposed development.

7. I also acknowledge that the balcony has been designed to avoid overlooking, which I agree with. However, as this would be a private benefit, it would not outweigh the harm caused to the character and appearance of Louville Close.
8. The appellant has identified a potential fallback position through The Town and Country Planning (General Permitted Development) (England) Order 2015. However, a route which would result in a similar development to that proposed in this appeal would be subject to prior approval from the Local Planning Authority, who would assess the impact on the amenity of any adjoining premises, and the external appearance of the dwellinghouse, including the design and architectural features. This has formed a material consideration in the assessment of this appeal, however I attach limited weight to the fallback position, as I cannot be certain whether prior approval would be granted. As such, this potential fallback position does not outweigh the decision I have reached above.
9. Accordingly, the proposed development does not comply with Policies DE1 and DE5 of the Torbay Local Plan – Plan for Torbay: 2012-2030, in so far as acknowledging local character and relating to surrounding built environment scale, height and massing. nor is it in accordance with Policy PNP1 of the Paignton Neighbourhood Plan 2012-2030 (adopted 2019), which seeks to enhance local identity. I have also had regard to the Framework, and have concluded that the proposals are also not in accordance with Paragraphs 124-126 and 130.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR