



Appeal Decision

Site visit made on 4 October 2022

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022

Appeal Ref: APP/X1165/D/22/3303163

25 Sherwell Lane, Torbay, Torquay TQ2 6BG

- 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 Richard Saunders against the decision of Torbay Council.
 - The application Ref P/2022/0445, dated 11 April 2022, was refused by notice dated 6 July 2022.
 - The development proposed is change velux window to dormer and add velux rooflights to existing attic room.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development as set out above from the application form as neither party has provided written confirmation that a revised description has been agreed.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling and the wider area to the rear of the appeal property.

Reasons

4. The appeal property forms part of a terrace of properties backing onto, and highly visible from, a public park. This park has terraces of properties backing onto it and as a result the rear of the terraces are visible from and form part of the character and setting for the park. The rear of 25 Sherwell Lane, as well as being visible from the park, can also be viewed from Sherwell Hill where it adjoins the park.
5. The proposed dormer would be positioned across most of the rear roof slope and would appear as a substantial addition to the property. The size of the dormer, as well as the inclusion of doors within its design, would sit at odds with the proportions of the main dwelling, dominating the rear elevation. This would unbalance the appearance of the property whilst being overly prominent and detracting from the design of the appeal property and the terrace to which it forms a part. As a result, the dormer would appear as an incongruous addition resulting in a negative effect on the dwelling and wider views from the park and Sherwell Hill.

6. There are several different roof types to the terraces facing the park, but the majority appear to be original features including pitches referencing the terrace roof forms. There are other box dormers to the rear of the terraces facing the park that do not appear to be original features and more akin to the appeal proposal in terms of their design. Two of these box dormers are a considerable distance from the appeal property, are smaller, do not include doors and are not highly visible from Sherwell Hill therefore causing less harm to the character and appearance of those dwellings and the wider area than the appeal proposal.
7. I acknowledge the large box dormer to the rear roof of No. 35 Sherwell Lane but I have limited information on this. I must consider the individual circumstances of each appeal, and in this instance, the addition of a large dormer of the scale and design proposed, would cause harm to the host dwelling. If I were to allow the appeal, the combination of these two dormers would not compliment the other roof forms facing the park but further erode the character and appearance of the wider area due to their scale and design.
8. Accordingly, the proposal would cause harm to the host dwelling and the character and appearance of the area and would therefore conflict with Policy DE1 and Policy DE5 of the Torbay Local Plan 2012-2030 and Policy TH8 of The Torquay Neighbourhood Plan June 2019 which, amongst other things, require that development be well designed without adverse effects on the character or appearance of the original property or on the street scene in general.

Other Matters

9. I acknowledge that the appellant requires the dormer to increase the floorspace to address the needs of the occupiers, however, this does not outweigh the harm I have identified to the character and appearance of the host dwelling and the wider area.
10. Although I acknowledge that the appellant has stated that the dormer is required to provide increased headroom for stairs to comply with Building Regulations, I have not been provided with any evidence for this.
11. No objections were raised from neighbours, but notwithstanding, this is a neutral factor which neither weighs for or against the proposal.

Conclusion

12. For the above, having had regard to the development plan as a whole along with all other material considerations, I conclude that the appeal should be dismissed.

C Rose

INSPECTOR