



Appeal Decision

Site visit made on 27 September 2022

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2022

Appeal Ref: APP/P1133/D/22/3303465

56 Windsor Avenue, Newton Abbot, TQ12 4DW

- 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 and Mrs Graham Levey against the decision of Teignbridge District Council.
 - The application Ref 21/02483/FUL, dated 31 October 2021, was refused by notice dated 1 June 2022.
 - The development proposed is two storey front extension and parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed which reflects that used by the Council in their decision notice.

Main Issues

3. The main issues are:
 - the effect of the proposed development upon the character and appearance of the building and surrounding area; and
 - whether there would be an effective means of surface water disposal.

Reasons

Character and appearance

4. The appeal site is a semi-detached 2 storey house in a residential estate on the side of a hill. Houses are set back behind front gardens which slope down to the road and have driveways to the side. Although house designs vary within the wider estate, pairs of semi-detached houses on Windsor Avenue between Hayton Drive and Oakland Road are similar. They comprise one house aligned with its gable end facing the road with the adjoining house set back and aligned with its gable end to the side. The appeal property is aligned with its gable to the side and its pitched roof facing the road.
5. The proposed development would include a 2 storey hipped roof front extension. The only front extensions on similarly designed houses are single

storey and as such the proposed development would appear dominant and out of character. It would be joined to the gable end on the neighbouring house and the difference in roof designs would appear discordant, harming the appearance of the pair of houses and the wider street scene.

6. The front gardens of houses close to the appeal site are well maintained with lawns and ornamental shrubs and contribute to the character and appearance of the street. Off street parking further along the road demonstrates the harm that removing gardens can have upon the street scene. In addition to providing 2 off street parking spaces the proposal includes replacing the existing drive with planters and adding planters on the opposite side along the boundary. However, they would not mitigate the harm to the appearance of the appeal site and street scene caused by replacing a landscaped terraced garden with over 3m high retaining walls.
7. Overall, I conclude on this main issue that the proposed development would harm the character and appearance of the building and area and conflict with Policies S1, S2 and WE8 of the Teignbridge Local Plan 2013 - 2033 (2014) (LP) which require high quality development that complements existing buildings and maintains or enhances the character and appearance of the street scene.

Surface water disposal

8. Replacing the front garden with hard impermeable surfaces for parking would lead to an increase in surface water run-off. The planning application form states that this would be directed to a mains sewer. The appellant's statement of case suggests instead that surface water would drain to sustainable drainage systems (SUDS) connected to the combined system. Given the extent of hard surfaces, and in the absence of information regarding ground conditions, it has not been demonstrated that SUDS can be provided at the site. Furthermore, there is no evidence that disposal to a combined sewer would be acceptable to the drainage undertaker. The proposal has therefore failed to demonstrate that an effective means of surface water would be provided and as such conflicts with Policy EN4 of the LP which requires development to have regard to the need to separate surface water drainage from all foul drainage. Policy S2 referred to in the Council's decision is a strategic policy relating to the quality of development and is not relevant to the proposal.

Other Matters

9. Concerns relating to communication during the application process are procedural issues and must remain a matter between the main parties. More particularly, my remit is limited to assessing the planning merits and impacts of the proposed development, and I have reached my decision on this basis.
10. I have had regard to examples of off road parking in the area provided by the appellant. Most are on more level ground and do not have large retaining walls. In any case, I have come to my own view regarding the development rather than relying on the approach the Council may have taken elsewhere.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR