



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: 11th November 2022

Appeal Ref: APP/X1165/D/22/3304245

6 Greenfield Road, Preston, Paignton TQ3 1DB

- 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 Martin Richardson against the decision of Torbay Council.
 - The application Ref P/2022/0009, dated 4 January 2022, was refused by notice dated 13 May 2022.
 - The development proposed is formation of parking bay to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for formation of parking bay to front elevation at 6 Greenfield Road, Preston, Paignton TQ3 1DB in accordance with the terms of the application, Ref P/2022/0009, dated 4 January 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 6028/102, 6028/104B, 6028/105B, 6028/106B, 6028/107B.
 - 3) Development shall not commence until surface water drainage works have been carried out in accordance with details which shall have been submitted to and approved in writing by the local planning authority. The drainage system shall be retained thereafter in accordance with the agreed details.

Preliminary Matters

2. The proposal was amended prior to the determination of the application to remove the formation of a new terrace, patio/bi-fold doors to the front elevation and relocation of external stairs to the front elevation and was determined by the local planning authority on this basis. Although the Description of Development was not amended on the Council's Notice of Decision, it is clear from the appellant's appeal statement that the development proposed in this appeal is the 'formation of parking bay to front elevation'. The plans reflect these changes and I have assessed the proposal on this basis and used this description in my formal decision.

Main Issue

3. The main issue is the effect of the parking bay on the character and appearance of the dwelling and on the character and appearance of the surrounding area.

Reasons

4. The appeal building is a detached dwelling, predominantly constructed in brick, which is set back and raised above Greenfield Road, behind a modest sized front garden that includes a rendered garage and steps up to the dwelling.
5. The character and appearance of the dwellings which front onto Greenfield Road can be described as mixed in terms of their design, scale, and materials. Some of these dwellings, particularly on the side of the road where the appeal property is located, benefit from hard surfaced parking areas/driveways with mainly rendered retaining walls and a variety of surface materials.
6. Whilst the new parking area would result in the loss of part of the front garden, adequate outdoor space would be retained alongside the existing garage that forms part of the character of the property and the immediate locality. The parking area to the front of the property would be modest in size and well designed with rendered retaining walls that will complement the rendered finish to the garage and other properties and their parking areas in the street.
7. For the above reasons, I conclude that the appeal scheme would respect the character and appearance of the dwelling and the surrounding area in accordance with Policy DE1 and Policy DE5 of the Torbay Local Plan 2012-2030 and Policy PNP1(c) of the Paignton Neighbourhood Plan to 2030 which, amongst other things, requires that development be well designed without adverse effects on the character or appearance of the original property or on the street scene in general.

Conditions

8. I have had regard to the tests in the National Planning Policy Framework in relation to conditions, and the planning conditions suggested by the Council. In addition to the standard time condition, it is necessary for a condition to confirm the approved plans in the interests of certainty. A condition is also necessary to ensure that surface water run-off from the parking area is managed to obviate the potential for flood risk to be increased elsewhere. In the interests of conciseness, I have amended the suggested condition, but given the nature of this issue, it is necessary for the condition to require drainage details prior to commencement of development. The appellant's agreement was sought in relation to this.
9. As the existing garage is being retained and there will be a net increase in parking spaces, I do not find it necessary or reasonable to include a condition stating that the parking spaces be retained for their intended use. Neither do I find it necessary to impose a condition requiring the submission of materials or means of fixing/bonding of the parking surface as adequate details of materials are noted on the plans.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

C Rose

INSPECTOR