

Appeal Decision

Site visit made on 20 April 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th May 2023

Appeal Ref: APP/X1165/D/22/3313936

12 Hillrise, Galmpton, Brixham, TQ5 0PR

- 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 Miss L Duerden against the decision of Torbay Council.
 - The application Ref P/2022/0828, dated 14 July 2022, was refused by notice dated 1 December 2022.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 12 Hillrise, Galmpton, Brixham, TQ5 0PR in accordance with the terms of the application, Ref P/2022/0828, dated 14 July 2022, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plan: 021-133-1-A.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

3. The appeal property is an end of terrace hipped roof dwelling at the southern edge of an, in-part, more recent estate in an elevated position relative to the heart of the village. The terraces are short and the design approach generally is a simple one and provides a pleasing scene aided by relatively generous gardens. The locality is of established residential character and there is an air of spaciousness. The proposal is as described above.
 4. The Council is concerned that the extension would be unduly dominant, unbalance the dwelling and terrace and generally not respect local character. It is felt that the scheme would represent unduly dominant overdevelopment and lack visual harmony.
 5. However, my assessment is that the scale of change proposed here would be relatively modest and appear as such given set back(s) and set down from
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main ridge height and use of a hipped roof. The garden area is substantial and I would not read this scheme as overdevelopment; the combined massing of the extended home would look comfortable within its setting in my opinion and spaciousness would continue to prevail.

6. To my mind materials have been suitably selected and I note windows would be replicating existing openings. The porch projection would be modest and not detract to any degree from the otherwise single and simple front elevational plane of this terrace. The subservient nature of the scheme would allow, from any angle, the original terrace to be read as just that, the key component. Whilst on paper the scheme may look like an unbalancing of the terrace I am not persuaded that any appreciable degree of such harm would arise in three dimensional reality. The relationship to the terrace beyond would also be favourable in that ground levels on the appeal site are appreciably lower. Furthermore, any closing of gap, if one did perceive it from lower levels, is not to a countryside long vista view but rather to the housing estate behind.
7. In all the circumstances I am satisfied that the appeal scheme described above, set within its prevailing topography, built context and landscape setting, would preserve the aesthetic qualities of the host property, the terrace and the locality.
8. Policies DE1 and DE5 of the Torbay Local Plan 2015 and Policies BH5 and BH6 of the Brixham Peninsula Neighbourhood Plan, have relevance to the case. Taken together, and amongst other matters, they seek to ensure that development is well designed embodying suitable scale, height and massing, recognising townscape character, protecting key views, not representing over-development or domination of existing built form, and incorporating traditional materials and appropriate windows. This is reflected in the analysis, advice and objectives of the Galmpton Village Design Statement (DS) albeit this document cannot be expected by way of detailed example or statement to cover every eventuality. Given the nature of the scheme before me I conclude that the proposal would not conflict with the relevant development plan policies or the pertinent aesthetic aims of the DS.

Conditions

9. I consider that the standard commencement condition should be applied. The Council calls for a condition relating to materials matching the existing building but this is unnecessary as materials are specified within the application. However, I agree with the Council that there should be a condition that works are to be carried out in accordance with listed, approved, plan; to provide certainty.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property and the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR