



Appeal Decision

Site visit made on 30 April 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2024

Appeal Ref: APP/X1165/D/23/3335995

Rea House, Great Rea Road, Brixham, Torbay TQ5 9ST

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Dyer against the decision of Torbay Council.
 - The application Ref is P/2023/0231.
 - The development proposed is described as Loft conversion with rear dormer and rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for Large dormer to principal elevation & roof lights to side and rear at Rea House, Great Rea Road, Brixham, Torbay TQ5 9ST in accordance with the terms of the application, Ref P/2023/0231, and 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 plans: Site location plan; Existing site plan (Drawing No 22.50 PL_002); Existing floor plans (Drawing No 22.50 PL_004); Existing elevations (Drawing No 22.50 PL_005); Proposed site plan (Drawing No 22.50 PL_100); Proposed floor plans (Drawing No 22.50 PL_101 Rev A); Proposed elevations (Drawing No 22.50 PL_102 Rev A); and unnamed drawing showing window specs (received by the Council on 13 June 2023 and given the reference P-2023-0231-4).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development in the banner heading above has been taken from the planning application form. However, the appeal form indicates that the description was changed and the wording provided reflects the description in the Council's decision notice. I have therefore used this revised description.
3. As the proposal is in a conservation area (CA), I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the proposed dormer on the character and appearance of the surrounding area and CA.

Reasons

5. The appeal site contains a grand, period property. Although in a relatively prominent location due to its elevated situation and position next to the highway network, public views of the building are limited by topography and the site's mature trees and high boundary wall. With built form in the locality varying in terms of designs, styles and sizes, and including numerous terraced properties with various alterations and some more modern developments, the surrounding area has a residential character and diverse appearance. Whilst some may well be unsympathetic, dormers are also a common feature of many properties in the locality and wider area.
6. The site is within the Brixham Town CA. Based on the submitted evidence, the significance of the designated heritage asset stems from, amongst other things, its historical development, with the area dominated by the fishing industry and its major growth over the 18th and 19th centuries. Although Victorian in the main, with terraced houses characterising the building form of the 19th century town and narrow winding streets crossed by flights of steps rising up the slopes, the CA's topography means that the effect is picturesque and organic rather than a nineteenth-century uniformity. Although detached, the existing building – with its elegant appearance, well-proportioned design, and dating from the mid-1800s – positively contributes to the character and appearance of the CA.
7. With it being set lower than the ridge, above the eaves and in from the sides, the proposed dormer would not dominate the roofslope. Although relatively large, its scale and mass would be proportionate to the size of the property. With matching materials and the windows (with the three by four glazed panes) effectively being scaled down versions of the same elevation's ground- and first-floor windows, the dormer would reflect the building's external appearance and sash window design. The bargeboards shown on Drawing 22.50 PL_102 Rev A would also not read as oversized.
8. Accordingly, and bearing in mind the presence of other roof extensions – including roof dormers – in the locality, the proposed development would read as a suitably designed, sympathetic, congruous addition. With the mature trees and boundary treatment screening much of the building's rear elevation and essentially limiting public views of the proposed dormer to glimpses and partial views, it would also not appear as a particularly prominent addition, even if it were to draw attention to the roofscape.
9. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area or the CA, whose significance would be preserved. I therefore find that it accords with Policies DE1, DE5 and SS10 of the Torbay Local Plan, The Plan for Torbay: 2012 to 2030 (TLP) and Policies BH5, BH6 and BE1 of the Brixham Peninsula Neighbourhood Plan Policy Document 2012-2030. Amongst other aspects, these seek to conserve all heritage assets and set out that development should demonstrate good quality design and respect the character and appearance of the surrounding area, including Torbay's areas of historic interest; that

dormers will only be approved where they do not dominate the host building, use traditional materials and are modestly scaled, subservient and sympathetic; and that proposals affecting designated heritage assets must comply with the National Planning Policy Framework (Framework) and relevant TLP policies. The proposal would also be consistent with the Framework's provisions in relation to achieving well-designed and beautiful places and conserving and enhancing the historic environment.

Conclusion and Conditions

10. For the above reasons, and having had regard to all other matters raised and the submitted evidence, I conclude that the proposed development accords with the development plan. The appeal is therefore allowed.
11. In addition to the standard time limit condition, I have imposed a plans condition in the interests of certainty. A condition requiring matching materials is also necessary in the interests of the character and appearance of the area.

T Gethin

INSPECTOR