



Appeal Decision

Site visit made on 9 December 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/X1165/D/24/3352341

4 Alison Road, Preston, Paignton, TQ3 1BQ

- 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 Mrs Louise Hoyle against the decision of Torbay Council.
 - The application Ref is P/2024/0318.
 - The development proposed is formation of box dormer to south elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst I called at the appeal property there was no one present at the time of my visit. However, I posted a notice at the property to say that I was satisfied that I had seen everything I needed to determine the appeal and that I would proceed on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

4. The appeal site comprises a detached single storey bungalow located on the northern side of Alison Road, close to its junction with Albany Road. The host property includes accommodation within the roofspace which I understand was facilitated by a rear dormer extension built under permitted development. Similar detached properties, some with accommodation in the roofspace, are to be found either side of the appeal site and along Alison Road.
5. The frontage to the host property appears to retain a number of its original features and form, a design that is replicated on other properties within the road. The road rises from east to west and the host property, as with the other properties, sits at a higher level to the road. As a consequence, all of the frontages to the properties, including that of the host, are prominent and highly visible within the streetscene.
6. The appeal proposal involves the construction of a flat roofed box dormer on the front elevation to the host property.
7. Within the above context, the size, scale and design of the front dormer would, in my view, be excessive and would represent a poor design. It would result in

- an inappropriate addition to the host property. The proposal would not be sympathetic to the original design or character of the host property. I agree with the Council that it would introduce a jarring and incongruous roof feature that would be visually prominent and out of keeping with the character of the host and streetscene.
8. The poor design of the proposal is accentuated by the fact that the new dormer would have a large expanse of flat roof and a significant width, resulting in a proposal that would dominate the existing roofscape. I accept that the new dormer would be sited below the existing ridge and well above the eaves, but those design features do not mitigate for the harm that results from the proposal. That harm arises not just from its size, scale and poor design, but also as it would sit off centre within the existing roofspace and would include windows that do not align with those on the ground floor.
 9. The appeal proposal would, therefore, not respect the design and appearance of the host or the surrounding area. It would dominate the streetscene which does exhibit a certain level of consistency in terms of its front roofscapes. I also agree with the Council that it would result in a cluttered appearance when viewed in the context of the hosts other design features, such as the projecting gabled bay and recessed entrance. Overall, the proposed dormer would not sit comfortably on the appeal site leading to significant harm to the character and appearance of the host property and surrounding area.
 10. In view of the above findings, the appeal proposal would conflict with policies DE1 (Design) and DE5 (Domestic Extensions) of the Torbay Local Plan 2012 to 2030 (December 2015) (TLP) and policy PNP1(c) (Design Principles) of the Paignton Neighbourhood Plan 2012 – 2030 (June 2019) (PNP). These require, amongst other matters, that new development is well designed, acknowledges local character, relates to the surrounding built environment in terms of scale, height and massing and does not dominate or have other adverse effects on the host property and streetscene. These policies remain broadly consistent with those in paragraphs 131, 135 and 139 of the National Planning Policy Framework (December 2023) (NPPF).
 11. The Appellant has referred to examples of other dormers within the road and wider area. Whilst I have had regard to the examples in Alison Road I have not accorded similar weight to those in the wider area as they do not form part of the immediate local context to the appeal site or its streetscene. Even so, I have not been provided with any planning background to the examples in Alison Road or any evidence as to if and when they were approved, what policy guidance was in place at the time or whether they were undertaken under permitted development. I note that the Council's Delegated Report indicates that the dormer at 16 Alison Road was permitted in 2005, pre-dating the current development plan and also the NPPF. The Council also indicate that the dormer at 6 Alison Road does not appear to benefit from planning permission.
 12. I can, of course, only consider the proposal that is before me and as is required determine it on its individual merits. Notwithstanding this, I note that some of the examples are of front dormers that are significantly smaller in scale and width to the appeal proposal, where they also align with windows below and as such sit comfortably on the main roofspace and do not dominate the host. Other examples, including those with side dormers, are of a poor design and quality that, in my view, detract from the character and appearance of those

properties and the streetscene. They are not, therefore, examples of design that should be followed or replicated, and their existence does not provide any justification for a development that is of a similar poor quality design. None of these examples affect, therefore, the findings I have reached on this issue.

13. I accept that there were no objections to the application but that does not negate the need for the appeal proposal to be assessed against the prevailing development plan policies. Neither does it provide a justification for allowing development that, as I have found, is of a poor quality design and harmful to the character and appearance of the host property and streetscene.
14. Accordingly, I find that the appeal proposal would fail to comply with policies DE1 and DE5 of the TLP, policy PNP1(c) of the PNP and the corresponding policies of the NPPF.

Conclusion

15. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR