



Appeal Decision

Site visit made on 9 May 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/X1165/D/25/3363117

56 Laura Grove, Paignton, Torbay, TQ3 2LP.

- 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 Simon Loten against the decision of Torbay Council.
 - The application Ref is P/2024/0796.
 - The development proposed is the formation of a garage and parking space.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of a garage and parking space at 56 Laura Grove, Paignton, Torbay, TQ3 2LP, in accordance with the terms of the application, Ref P/2024/0796, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match or complement those used in the existing buildings on the site.
 - 3) The development hereby permitted shall be carried out only in accordance with following approved plans:

OS Map extract	Location Plan	dated 15.11.2024
2001 A.D.125	Block Plans	dated 01.12.2024
P2024-0796-1	Proposed Elevations	dated 27.12.2022
P2024-0796-2	Proposed Elevations	dated 27.12.2022
P2024-0796-3	Proposed Elevations	dated 31.10.2021
P2024-0796-4	Proposed Internal	dated 31.12.2022
P2024-0796-5	Proposed External	dated 31.10.2021

Main Issue

2. The main issue is the effect the proposed development would have on the character and appearance of the appeal site frontage in the context of the local street scene.

Reasons

3. The appeal site is situated on the north side of Laura Grove where the street frontage is characterised by frequent and varied modifications to property frontages to facilitate off-street parking. Invariably, these comprise paved spaces of rather

stark appearance at the rear of the footway excavated into the sloping ground and surrounded by retaining walls.

4. The original approach in the design of the appeal proposal is to excavate further into the site frontage and create a low-level, virtually subterranean garage under a green sedum roof, and placing an area of hardstanding behind the front boundary wall, in effect replacing much of the area of the front garden that would be disturbed.
5. I appreciate the concern of the Council that, despite the insertion of parking bays along the Laura Grove frontage, the original sloping gardens with softening vegetation and side driveways and garages have generally been retained and that this aspect of the street scene would be disrupted by the appeal development.
6. On the other hand, whilst the garage would still stand somewhat taller than the front boundary wall, the garage and hardstanding would be contained within the site, avoiding the exposed and unrelieved paved area immediately behind the footway which is a feature of many the nearby properties.
7. Thus, whilst the design of the appeal proposal is certainly different from the more orthodox solutions used elsewhere along Laura Grove and in the wider area, in my judgement the development would not appear unduly incongruous or uncharacteristic in the context of the wider, varied street scene. Moreover, there is some prospect that the side and front boundaries to the site could be reinforced by new planting, as indicated on the submitted plans, which would further soften the appearance of the frontage.
8. I agree with the Council that the examples of existing frontage car parking arrangements in Laura Grove, quoted in support of the appeal, are not necessarily directly comparable and may not have been authorised. I also agree that a previous appeal allowing car parking at a property in Blatchcombe Road, some distance away, is not directly relevant, as the details of development and the topography of the site are substantially different. So, whilst acknowledging that the Council has refused several previous proposals at the appeal site more comparable with the present scheme but with sliding security gates, I have considered the present case on its individual merits and in current circumstances.
9. For the reasons explained, I consider that the proposed development would comply with Policy DE1 of the adopted Torbay Local Plan as well as with Policy PNP1(c) of the made Paignton Neighbourhood Plan which, together, consistent with the National Planning Policy Framework, require development to be well designed to respect its surroundings. I therefore consider the proposal to be compliant with development plan as a whole and conclude that this appeal should be allowed, subject only to standard conditions.

B J Sims

INSPECTOR