
Appeal Decision

Site visit made on 25 June 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

Appeal Ref: APP/X1165/D/25/3365547

20 Collingwood Close, Torquay TQ1 2DN

- 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 R Brinkley against the decision of Torbay Council.
 - The application Ref is P/2025/0714.
 - The development proposed is garage to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for garage to front elevation at 20 Collingwood Close, Torquay TQ1 2DN in accordance with the terms of the application, Ref P/2025/0714, and the plans submitted with it, 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: proposed block plan and ground floor plan (Drawing No. 202326/15); proposed elevations (Drawing No. 202326/16).
 - 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 my above decision is taken from the decision notice rather than the application form, as this clarifies that the proposed garage is attached to the main dwelling.
3. I am aware of the recent previous appeal at this site¹, which is a significant material consideration. The current appeal scheme is however materially different in terms of the proposed development, and I must also have regard to the submitted evidence for this appeal. I have determined the appeal on this basis.

Main Issue

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

¹ Appeal Ref: APP/X1165/D/24/3346659

Reasons

5. The appeal site (No 20) comprises a detached bungalow on an elevated position towards the end of the Collingwood Close cul-de-sac. This residential area contains a variety of dwelling styles and scales of post-war origin, within spacious grounds. I saw that many of these dwellings have been extensively modernised and extended.
6. The proposed garage extension would have a degree of prominence in the street scene insofar as it would attach to the front of the existing dwelling at significantly higher ground than the road. It would however sit mostly below the existing front elevation level, as it would be significantly cut in to the inclining ground.
7. Although the garage would project beyond the neighbouring front elevations to each side, it would be in general alignment with the building line further south. Unlike the previous appeal scheme, the current proposal would be at some distance from the front highway boundary. The development would also sit significantly below the dwellings to each side of it. Many wider views would be significantly restricted by dense boundary shrubbery to each side, including shrubbery within neighbouring boundaries.
8. For the above reasons, the proposal would not appear as an unduly large or dominant addition to No 20 and its immediate surrounds. Along the wider residential estate route leading to the cul-de-sac, I also observed a number of various built forms extending beyond main dwelling front elevations. In this context, the proposal would not form an uncharacteristic addition to the area.
9. I therefore conclude that the proposed development would not harm the character and appearance of No 20 and the surrounding area. The proposal thus complies with Policies DE1 and DE5 of the Torbay Local Plan 2012-2030 and Policy TH8 of the Torquay Neighbourhood Plan (2019). Collectively, these policies require, amongst other things, development to be well-designed, to not dominate the character of the original property, any neighbouring properties and the street scene in general, and to respect the local character in terms of height, scale and bulk.

Other Matter

10. The officer report does not indicate any harm to the Lincombes Conservation Area (LCA) in which No 20 is located within. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
11. From what I have seen and read, I found the significance of the LCA as a whole to be in part derived from prominent 19th Century villas set within large, enclosed and landscaped grounds. Collingwood Close is not within the traditional built backcloth of the LCA. However, the generous plot sizes, combined with views to mature trees and the wider Torquay coastal landscape, also contribute positively to the significance of the LCA as a verdant and spacious suburban character.
12. In finding no harm to the character and appearance of No 20 and the surrounding area, I have also found that the LCA as a whole would be preserved and its significance as a designated heritage asset would not be harmed. Thus, there would be no conflict with the statutory presumption under s72(1) of the Act, nor the historic environment protection policies of the National Planning Policy Framework.

Conditions

13. Conditions specifying time limits for the development and the approved plans are necessary in the interests of planning certainty. A condition requiring the external materials to match those of the existing dwelling (which includes rendered walls) is also necessary in the interests of the character and appearance of the area, and the significance of the LCA.

Conclusion

14. For the reasons given above, the appeal is allowed.

R Cahalane

INSPECTOR