



Appeal Decision

Site visit made on 11 February 2019

by **Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 7th March 2019

Appeal Ref: APP/W1145/D/18/3219804

2 Lundy View, Bay View Road, Northam, Bideford EX39 1BE

- 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 Mr A Doodson against the decision of Torridge District Council.
 - The application Ref 1/1059/2018/FUL, dated 26 September 2018, was refused by notice dated 29 November 2018.
 - The development proposed is described as demolition of existing double garage and reconstruct new double garage with accommodation above.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was determined on the basis of revised plans. I have therefore made my decision on the same basis.

Main Issues

3. The mains are the effects of the development on:
 - the character and appearance of the area; and
 - the living conditions of neighbours with particular regard to privacy.

Reasons

Character and Appearance

4. 2 Lundy View is a single storey bungalow prominently positioned with a frontage facing onto Bay View Road. A number of bungalows within Lundy View are of similar design, including 4 Lundy View neighbouring. Bay View Road and Lundy View otherwise contain dwellings whose design varies, including 2-storey buildings to the east of No 2, and a wide range of chalet bungalow forms. Whilst the visual character of development within the setting of No 2 therefore varies, individual building designs nonetheless appear generally coherent and well-balanced in terms of their height, form and scale.
5. The height and scale of the proposed addition would exceed that of the rest of the building. This would be most apparent in its raised ridge line, raised eaves line and the greater width of the proposed gables relative to those located toward the centre of the front and rear elevations. Differences would be further emphasised by the positioning of windows within the proposed gables at higher

level than those otherwise present within the front and rear elevations. These factors would, in combination, cause the proposed addition to appear out of proportion with the rest of the building, resulting in a significant visual imbalance within the front and rear elevations.

6. Though the rear elevation would be largely screened from public view, the resulting adverse effect on the appearance of the front elevation would be pronounced within the street scene. This would not be masked by variety within the general setting. Indeed, whilst the proposed addition would cause the dwelling to appear at odds with similar dwellings nearby, it would also appear discordant within a context generally characterised by more coherent building designs.
7. The proposed development would see the replacement of a flat roofed garage. This, the parties agree, detracts from the appearance of No 2, and its form is indeed uncomplimentary. The garage is nonetheless a clearly subservient element of the existing dwelling and does not affect appreciation of the original single storey form of the bungalow. Therefore, though the pitched roof and materials of the proposed addition would relate more directly to the rest of the building than does the existing garage, any visual benefit would be outweighed by the harm otherwise caused by its disproportionate height and scale.
8. The Council has drawn attention to paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. In view of my reasons above, acknowledged opportunities clearly exist to improve the appearance of the garage, however the proposed development would itself cause greater harm. Consequently paragraph 130 lends weight to the case for refusal.
9. For the reasons outlined above I conclude that the proposed development would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policy DM25 of the North Devon and Torridge Local Plan 2011-2031 (2018) (the Local Plan) which seeks to secure extensions whose scale and design respect existing development, and Policy DM04 of the Local Plan which seeks to secure development whose design is appropriate and sympathetic to its setting.

Living Conditions

10. The proposed addition includes a balcony to the rear. This would be positioned very close to what appears to be a bathroom window located in the side elevation of the dwelling immediately to the east, and permit some views towards the back garden of No 4.
11. The appellant has indicated a willingness to omit the balcony if requested. It is however apparent that the omission of the balcony would give rise to a need for further design changes to prevent formation of an open drop. As such the balcony is not a clearly severable element of the design as proposed. Consequently, the Council's reason for refusal stands, and has not otherwise been contested by the appellant.
12. As I see no reason to question the assessment set out in the Council's officer report, I therefore conclude that the proposed development would cause unacceptable harm to the living conditions of neighbours given loss of privacy.

It would therefore conflict with Policies DM25 and DM01 of the Local Plan which each seek to secure development that does not harm the amenity of occupants of neighbouring properties.

Conclusion

13. Exercising my duty under section 38(6) of the Planning and Compulsory Purchase Act 2004 as amended, I find that in this case material considerations, including the support of the Town Council, do not indicate that my decision should be made other than in accordance with the development plan. For the reasons set out above I therefore conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR