
Appeal Decision

Site visit made on 20 September 2016

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6TH October 2016

Appeal Ref: APP/E2205/W/16/3152428

51 Breadlands Road, Ashford, Kent TN24 0EP

- 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 Mrs Jan Post against the decision of Ashford Borough Council.
 - The application Ref 15/01646/AS, dated 14 December 2015, was refused by notice dated 13 April 2016.
 - The development proposed is erection of one 3 bedroom detached residence.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed dwelling on the:
 - a) character and appearance of the area;
 - b) living conditions of the future occupants of the dwelling in relation to provision of amenity space;
 - c) living conditions of the occupants of the host property in relation to privacy.

Reasons

Character and appearance

3. Breadlands Road is part of a residential area characterised by rows of small, two-storey terraced houses set in modest sized plots. The terraces are of a simple design with pitched roofs and there is a sense of uniformity arising from the arrangement of windows and the use of common materials. The estate as a whole appears to date from the period immediately following World War II. Mature trees, wide verges and areas of grass make a positive contribution to the character and appearance of the area.
 4. No 51 is the end property of a terrace of six on a prominent corner plot. Nos 41 and 51 are at right angles to the remainder of the terrace with their gable ends facing the street. No 51 has an 'L' shaped plot that is enclosed by a brick wall and the appeal site is its side garden. From an examination of the 1:1250 location plan it would appear that this arrangement is part of the original layout of the estate, where an end terrace house had part of its garden to the side of the house to compensate for having a shallower rear garden. It seems that this pattern has been repeated on a number of corner plots within the wider estate.
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5. The proposed detached dwelling would be at right angles to No 51 with its flank elevation set back from the front elevation of the host property. Its frontage would align with the terrace formed by Nos 53-59. However, there would be a sizeable gap between the new dwelling and No 53. The proposal would therefore appear to be an isolated and incongruous addition to the street scene that would fail to relate effectively with the linear pattern of the existing terraces of houses. This would be accentuated by its position on this prominent corner site.
6. I accept that the footprint and proportions of the proposed dwelling would be comparable with those of the existing terraced houses. Similarly, the overall shape of the building with its pitched roof would reflect that of the surrounding properties. However, size of the plot and the lack of space around the dwelling indicate that the site is too small to accommodate the proposal without it appearing cramped. Furthermore, a detached house would not be compatible with the prevailing character of the area, which is predominantly characterised by regularly spaced terraces of houses set out along straight streets.
7. I therefore conclude that the proposal would be harmful to the character and appearance of the area, contrary to Policies CS1 and CS9 of the Ashford Borough Council Local Development Framework Core Strategy (Core Strategy), which requires development to be high quality and respect its setting.

Living conditions of future occupants

8. There is no dispute between the parties that the proposed dwelling would have adequate room sizes. However, a significant part of the outside space would be given over to the provision of two car parking spaces which would limit the area available for use as private amenity space. The depth of the garden would be approximately half that which the Council has suggested should be provided in order to comply with the standards set out in its Supplementary Planning Document: *Residential Space and Layout SPD*. However, even if the depth of the garden was adequate, the provision of private amenity space is not solely a matter of quantity but also of quality. In this case the area would be overlooked from the first floor windows of the host property, resulting in a poor level of privacy for future occupiers.
9. I conclude that the proposal would fail to provide satisfactory living conditions for future occupants, arising from inadequate provision of amenity space. It would be contrary to Policy CS9 of the Core Strategy, which requires new residential development to be flexible, adaptable and liveable. It would also fail to comply with the requirements of the SPD and the National Planning Policy Framework's (the Framework) core principle of always providing a good standard of amenity for existing and future occupants of land and buildings.

Living conditions of occupants of host property

10. The proximity of the proposed dwelling to No 51 would result in it introducing a significant sense of enclosure within the residual rear garden of the host property. It would therefore appear visually intrusive and overbearing. In addition the first floor windows would overlook the garden of No 51 resulting in a material loss of privacy for the occupants of the host property. The neighbours at No 49 would also experience a perceived loss of privacy as a result of the direct views towards their rear garden and there would be some oblique overlooking of the garden of No 53.

11. I conclude that the proposed dwelling would give rise to an unacceptable loss of privacy for the occupants of the host property and other nearby dwellings. The proposal would therefore be contrary to the Framework's core principle of always providing a good standard of amenity for existing and future occupants of land and buildings.

Other matters

12. The proposal would result in the loss of one on-street parking space in order to provide a new access and two off-site parking spaces for the proposed dwelling. I appreciate that local residents are concerned about existing parking problems in the area. However, the proposal would meet the Council's standards and the scheme would not result in a significant additional demand for on-street parking. This matter would therefore not have been a reason to reject the proposal, if it had been acceptable in all other respects.

Conclusion

13. The Government is seeking to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption in favour of sustainable development. The appeal site lies in Willesborough within the urban area of Ashford. There is therefore no objection in principle to a residential development on the appeal site, provided this can be achieved without harm to the local environment.
14. However, I have found that the proposed development would be harmful to the character and appearance of the area and the living conditions of the host property and neighbouring dwellings. It would also fail to provide satisfactory amenity space for future occupants. The benefits that would accrue from the provision of the additional house would not outweigh the scheme's harmful effects and shortcomings.
15. For this reason, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR