

Appeal Decision

Site visit made on 8 November 2016

by J Dowling BA(Hons) MPhil MRTPI

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

Decision date: 16th November 2016

Appeal Ref: APP/X2220/W/16/3155390

19 Willow Waye, Eyethorne, Kent CT15 4DB

- 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 Mark Johnson against the decision of Dover District Council.
 - The application Ref DOV/16/00270, dated 7 March 2016, was refused by notice dated 10 May 2016.
 - The development proposed is new detached two storey dwelling.
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Decision

1. This appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance on the surrounding area.

Reasons

3. Willow Waye is a pleasant residential street that is characterised by two storey semi-detached 1970's properties. Although a number of the houses in the road have been the subject of extensions and alterations, including a number of two storey side extensions, these are of a limited nature and do not detract from the overall uniformity of the general streetscene. Due to the attached single storey garages, a key characteristic of the streetscene is the significant gaps between the majority of houses. At the eastern end of Willow Waye, where No 19 is located, this enables views through to the surrounding countryside and contributes positively to the setting of the buildings.
 4. I note from my site visit that the street forms part of a wider estate built in the same period and whilst there are a variety of different house designs a similar layout, palette of materials and design details are used throughout which in turn informs the character and appearance of the area.
 5. The proposal would result in the demolition of an existing single storey attached garage and its replacement with a two storey detached house. The existing rear garden would be subdivided to provide amenity space for both the existing and the proposed units and parking, including replacement off street parking for No 19, would be provided to the front of both the existing and proposed units.
 6. The Council consider that the proposal would provide sufficient amenity space, off street parking and that it has been designed in such a way that the living
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conditions of the occupants of neighbouring houses would not be adversely affected and I have no reason to disagree with this position.

7. Although the National Planning Policy Framework (the Framework) advocates against the imposition of architectural styles or particular tastes¹ the proposed new unit by virtue of being a detached house in an area characterised by semi-detached properties would be out of character with the established character and appearance of the streetscene. Furthermore, due to the limited nature of the plot it would be built in close proximity to No 19 effectively in-filling the gap that informs the rhythm of the streetscene and currently positively contributes to the character of the area. As a result I conclude that the proposal would appear incongruous and out of character and would therefore be contrary to the aims and objectives of the Framework which advocates that development should reflect the identity of local surroundings² and secure high quality design³. Furthermore, whilst the framework states that great weight should be given to outstanding or innovative design⁴ it also advocates that development of poor design that fails to improve the character and quality of an area should be refused⁵.
8. The Council accept that it does not have an up to date five year housing land supply and as such the Framework⁶ states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies contained within the Framework. Whilst I agree with the appellant that the site is in a sustainable location and I acknowledge that the proposal would reuse previously developed land and boost the supply of housing I consider that this benefit would be very modest and is in any event significantly and demonstrably outweighed by the harm to the character and appearance of the local area that I have identified above.
9. The appellant referred to a similar scheme at 2a Cherry Waye and cites this as setting a precedent for the proposal. However, having viewed this property I note that this is a significantly wider plot than No 19 which enabled the garage at No 2 to be retained and thus the gap between the buildings has been maintained. As a result I consider that No 2a is perceived in a different context to No 19 and does not lead me to a different view in this case.
10. The appellant advocates that if the other properties in Willow Waye extended to the side then the current gaps would be in filled thus negating this concern. However, I must consider the proposal in the context of the current streetscene and not on the basis of potential future scenarios and therefore this does not lead me to a different conclusion.
11. For these reasons, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Jo Dowling

INSPECTOR

¹ Paragraph 60 of the National Planning Policy Framework (2012)

² Paragraph 58 of the National Planning Policy Framework (2012)

³ Paragraph 17 of the National Planning Policy Framework (2012)

⁴ Paragraph 63 of the National Planning Policy Framework (2012)

⁵ Paragraph 64 of the National Planning Policy Framework (2012)

⁶ Paragraph 14 of the National Planning Policy Framework (2012)