

Appeal Decision

Site visit made on 3 January 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 24 January 2017

Appeal Ref: APP/T2215/W/16/3159766

44 Priory Hill, Dartford DA1 2BH

- 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 Ashview Homes against the decision of Dartford Borough Council.
 - The application Ref DA/16/01078/FUL, dated 4 July 2016, was refused by notice dated 30 August 2016.
 - The development proposed is Demolition of existing bungalow and redevelopment for 3 dwellings, together with new access, on-site parking, associated landscaping and private amenity space.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing bungalow and redevelopment for 3 dwellings, together with new access, on-site parking, associated landscaping and private amenity space at 44 Priory Hill, Dartford DA1 2BH in accordance with the terms of the application, Ref DA/16/01078/FUL, dated 4 July 2016, subject to the schedule of conditions attached.

Main issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; whether the proposal would make adequate provision for off-street parking; and whether the proposal would provide adequate living conditions for any future occupiers with particular regard to external amenity space.

Reasons

Character and appearance

3. The appeal site is located on a bend along Priory Hill and comprises a bungalow set on raised ground, its associated garden and some outbuildings. A row of traditional, 2 storey terraced dwellings lies to south; and a recent development of flats within a 2 storey building with rooms in the roof lies to the west. A recent residential development on the site of the former Red Cross Centre/West Hill Hospital lies to the south-west of the appeal site. Development in the area typically displays a tight urban grain. In my view, the existing bungalow appears at odds with its immediate surroundings and currently contributes little to the quality of the streetscene.
 4. The proposal would demolish the existing bungalow and outbuildings and would replace them with a terraced block of 3, 2 storey dwellings, undercroft parking
-

and amenity space. This would result in a substantially greater level of built form and a greater density, at approximately 66 dwellings per hectare (dph), than currently exists on the appeal site. Nevertheless, the increase in scale and density of development needs to be considered within the context of its surroundings. I also note that the density figures set out in Policy CS17- Design of Homes, of the Dartford Core Strategy 2011 (Core Strategy), are intended as broad indications. As such, this policy, which suggests a density of between 35-55dph in this location, does not specifically restrict development of a higher density.

5. The proposal would follow the building line and scale of the terraced dwellings to the south. Whilst it would sit closer to the street frontage than the dwellings to the west, there are already variations in the building layouts and building lines in the area. Moreover, the bend in the road and the setback of development opposite the appeal site would maintain a spacious quality to the streetscene. The proposal would step up towards the dwellings to the west though would maintain a lower ridge height than these properties. As such, it would display an appropriate relationship with them in terms of scale and visual transition.
6. The appearance of the proposal from the street would reflect the appearance of a previous proposal on the appeal site¹, which had a greater density of 100dpa, in which the Inspector in that case found acceptable in design terms and also in terms of density. In addition, the Council's officer's report makes clear that it considers design is no longer an issue given the abovementioned Inspector's findings. I would concur with this view.
7. I accept that the subdivision of the appeal site would introduce an element of finer grain to the area and would result in irregular shaped plots. However, there is no regular or defined pattern of plot sizes or shapes in the area. Garden sizes also differ between dwellings. For example, whilst the rear gardens of the dwellings to the south of the appeal site are generous in size, the rear gardens of the dwellings to the west are substantially smaller. Furthermore, the erection of any unobtrusive fencing between the proposed rear gardens would not be particularly noticeable from the public realm.
8. In light of the above, I conclude that the proposal would not result in harm to the character and appearance of the area. It would therefore comply with saved Policy B1, of the Borough of Dartford Local Plan 1995 (Local Plan); and Policy CS17, of the Core Strategy. These policies require, amongst other things, high quality development which respects and integrates with its surroundings. The proposal would also comply with draft Policies DP2- Good Design in Dartford and DP7- Borough Housing Stock and Residential Amenity, of the emerging Dartford Development Policies Plan (DDPP), which reflect these requirements.

Parking provision

9. Saved Policy T23 of the Local Plan requires development to provide adequate off-street parking. The Council sets out that its Parking Standards SPD² (SPD) requires 1.5 parking spaces for 3 bedroom dwellings. The proposal would provide 4, 3 bed dwellings which would equate to a requirement of 4.5 parking

¹ Ref APP/T2215/W/15/3010097

² Dartford Borough Council Parking Standards Supplementary Planning Document 2012

spaces. Furthermore, the Council notes that the proposal would be required to provide an additional 1 visitor parking space and 1 van parking space to meet the standards of the SPD. Consequently, 6.5 parking spaces would be required in total. The proposal would provide 3 on-site parking spaces, one of which would be for disabled use. The Council therefore raises the concern that the proposal would fall short of its parking requirement by 3.5 spaces.

10. Having considered the requirements of the SPD, I note that it allows for unallocated visitor and van parking on-street. It also allows for 0.5 unallocated spaces for a 3 bedroom dwelling. The SPD does not specify that this should be provided off-street. It also sets out that unallocated on-street parking can be a good way to cater for additional vehicles owned by residents where there are no on-street restrictions. As such, the SPD appears to allow for the abovementioned shortfall to be provided on the street.
11. I recognise that on-street parking in the area is under pressure. Nevertheless, visitor parking would likely be required only at intermittent periods and for short durations of time and would not therefore significantly increase parking pressure in the area. The Council appears to concur with my view on this.
12. Whilst only a snapshot in time, I observed during my site visit, which occurred around midday, that there were opportunities to park on the street in the vicinity of the appeal site where parking restrictions do not apply. There were also opportunities to park in other nearby streets. There is no substantive evidence before me to indicate that on-street parking in the area is at full capacity at any other times of the day. Moreover, the appeal site is well located in relation to the town centre and its range of services and facilities and public transport links. Cycle parking would be provided for each of the proposed dwellings. These factors would offer an alternative to the use of a private motor vehicle and would likely reduce overall car ownership requirements for any future occupiers of the proposal.
13. Consequently, whilst there may be a modest increase in competition for existing on-street parking provision, this would not, in my judgement, lead to any significant inconvenience or highway safety issues.
14. My opinion on this matter is consistent with the views of the abovementioned previous Inspector. Whilst the previous scheme differed from the proposal I am to consider in some respects, any on-street parking requirements generated would not have been materially different. Furthermore, I note that the Highway Authority has not objected to the proposal.
15. The Council makes a brief reference to the lack of manoeuvrability space in respect of the proposed parking space for Plot 3. Nevertheless, this assertion has not been fully substantiated. It is also unclear what the Council's reference to 'the minimum of 0.5m for cars to turn out of the space' relates to or where any such requirement is stated. It seems to me that the proposed width of the parking space and the distance between this parking space and any others would provide adequate manoeuvrability for any vehicle using this space.
16. I am therefore satisfied that the proposal would make adequate provision for on-site parking. As such, the proposal would comply with saved Policy T23, of the Local Plan. It would also comply with draft Policies DP3- Transport Impacts of Development and DP5- Environmental and Amenity Protection, of the

emerging DDPP, which require, amongst other things, development not to result in harm to highway safety or excessive pressure for on-street parking.

Living conditions

17. The proposed rear gardens would all be of a size of at least 50 square metres. They would be well connected to the internal living spaces of each of the proposed dwellings. Whilst the rear gardens for Plots 1 and 2 would be irregular in shape and the rear garden for Plot 3 would be modest in length, these gardens would serve a range of needs, including for sitting outside and relaxing and for hanging washing out to dry. Whilst the proposed rear gardens of Plots 1 and 2 would narrow to approximately 2.5 metres, this would be wide enough to allow easy access into the wider areas of these rear gardens.
18. I note that there would be some obstructed views to the rear garden of Plot 2 from within this dwelling. However, the Council does not expand on why it considers this a concern. The garden would be fenced in its entirety and would therefore allow a safe environment in which to use it, for play or otherwise.
19. I therefore consider that the proposed private amenity spaces would provide adequate living conditions for any future occupiers. In addition, it would be the choice of any future purchasers of the proposed dwellings to decide whether or not the private amenity spaces would serve any needs particular to them, above and beyond those previously mentioned.
20. The proposal would therefore comply with Policy CS17, of the Core Strategy, which requires, amongst other things, development to provide useable private amenity space. It would also comply with draft Policy DP8- Residential Space and Design in New Development, of the emerging DDPP, which reflects this requirement.

Conditions

21. I have had regard to the planning conditions that have been suggested by the Council. I have amended some of these for clarity and conciseness. In addition to the statutory time limit condition, I have imposed a condition specifying the relevant drawings which is necessary as this provides certainty. Those conditions relating to materials, boundary treatment and landscaping are necessary in the interests of character and appearance. A condition relating to refuse storage is necessary in the interests of efficient waste disposal. I agree that conditions relating to car parking, access and visibility splays are necessary for continued highway safety. Finally, a condition relating to drainage is necessary in the interests of flood risk.
22. However, I have not been persuaded that there are any exceptional circumstances that justify the removal of the permitted development rights as suggested by the Council.

Conclusion

23. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

Alex Hutson INSPECTOR

SCHEDULE OF CONDITONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: H-1196 01b; H-1341 02b; H-1341 08b; H-1341 12b; H-1341 13b; H-1341 14b; H-1341 15b; H-1341 16b; H-1341 17b; H-1341 18b; H-1341 19b; H-1341 20b; and H-1341 21b.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples of materials.
- 4) Prior to the occupation of the development hereby permitted, details of boundary treatments and any other means of enclosure shall be submitted to and approved in writing by the local planning authority. Boundary treatments and any other means of enclosure shall be carried out prior to the occupation of the development hereby permitted in accordance with the approved details and shall be retained and maintained thereafter.
- 5) Prior to the occupation of the development hereby permitted, details of a landscape scheme to the front of the site shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall be carried out in accordance with the approved details within the first planting season (November-March) following the occupation or completion of the development hereby permitted, whichever is the sooner, and shall be maintained for a period of five years. Any vegetation which dies, becomes diseased or is removed within a period of five years from the date of the planting shall be replaced within the next planting season with vegetation of a similar species and size to that approved.
- 6) Prior to occupation of the development hereby permitted, details of facilities for the storage and collection of waste and refuse within the curtilage of the site shall be submitted to and approved in writing by the local planning authority. The waste and refuse facilities shall be provided prior to the occupation of the development hereby permitted in accordance with the approved details and shall be retained thereafter.
- 7) Prior to the occupation of the development hereby permitted, the vehicle parking and turning spaces and means of access shall be provided as shown on the approved plans and shall be kept available for such use at all times thereafter.
- 8) No development shall take place until details of visibility splays at the access to the parking area have been submitted to and approved in writing by the local planning authority. The visibility splays shall be provided in accordance with the approved details and retained and maintained thereafter with no development or vegetation over 0.6 metres above the level of the access where it is within 2 metres of the highway.

- 9) Prior to the occupation of the development hereby permitted, a linear drain shall be installed across the access to the parking area and shall be retained and maintained thereafter.