

Appeal Decision

Site visit made on 20 December 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 26th January 2017

Appeal Ref: APP/H2265/W/16/3156852

43 Yardley Park Road, Tonbridge, Kent TN9 1NB

- 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 G Bentham against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/15/03801/FL, dated 24 November 2015, was refused by notice dated 4 March 2016.
 - The development proposed is new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. The dwelling proposed would be sited within a plot formed in the rear part of the large garden to No 43; a substantial detached house fronting onto Yardley Park Road. The dwelling would be within the built-up part of Tonbridge where there would be no objection to the principle of residential development provided the proposal complied with wider development plan policy.
 4. Yardley Park Road is addressed in section H3 of the Tonbridge Character Areas Supplementary Planning Document (SPD), which the Council adopted in February 2011. The locally distinctive positive features of this character area are specified in the SPD as including its spacious green, semi-rural character, formed by substantial buildings set in large plots with hedges, mature landscaped gardens and varied but harmonious boundary treatments.
 5. The Council has no concerns with the chalet dwelling design proposed which would not contrast harmfully with the individually designed buildings of various ages and styles in this character area, as described in the SPD. Furthermore, the dwelling would be accommodated in the site without any significant loss of the surrounding mature trees and vegetation and, set behind the large existing house, would not be visually prominent in the street scene.
 6. Nevertheless, the dwelling would be apparent from views from some neighbouring properties and a dwelling in this location would be out of keeping with the predominant character of this area which is that of mainly spacious,
-

low-density housing fronting the road, with large and verdant garden areas to the rear.

7. By detracting from the character of the housing in this area this proposal would conflict with Core Strategy¹ Policy CP24, whereby the siting of development must respect its surroundings. For the same reason it would fail to satisfy Development Plan Document² Policy SQ1, whereby proposals should reflect the local distinctiveness, condition and sensitively to change of the character area, as defined in the SPD, and protect and conserve, and where possible enhance, the character and urban form of the area.
8. There are nearby examples of similar backland developments, where individual dwellings have been built in rear garden sites. However, these developments do not define the main character of this area, where further such proposals would not now gain support through the Council's development plan policies. It is acknowledged that the back garden of No 43 is wider than those of the nearby adjacent houses, both to the east and west, and therefore provides the space to accommodate the dwelling proposed. Nevertheless, this would not alter my view that the scheme would be out of character with the surrounding pattern of mainly spacious frontage housing with large, undeveloped back gardens.
9. The National Planning Policy Framework defines the purpose of the planning system to contribute to the achievement of sustainable development. This comprises economic, social and environmental strands which should be jointly sought. Whilst the proposal would provide social gains, through adding to the supply of housing, and economic benefits, through its construction and servicing, these would not be sufficient to outweigh the environmental harm resulting from the adverse effect on the character and appearance of the area.

Conclusion

10. For the above reasons, and having taken into consideration all other matters raised, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR

¹ Tonbridge and Malling Borough Council Local Development Framework Core Strategy – adopted 25 September 2007

² Managing Development and the Environment Development Plan Document – part of the Local Development Framework for Tonbridge and Malling – adopted April 2010.