
Appeal Decision

Site visit made on 17 January 2017

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 26 January 2017

Appeal Ref: APP/H2265/W/16/3162761

32 Yardley Park Road, Tonbridge, Kent TN9 1LF

- 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 Dreamfinch Homes Ltd against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/16/02320/FL dated 28 July 2016, was refused by notice dated 27 September 2016.
 - The development proposed is construction of a new 3 bedroom dwelling with detached single garage and carport on land to the rear of 32 Yardley Park Road and to construct new vehicle crossover and parking for the existing dwelling.
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Decision

1. The appeal is dismissed.

Reasons

2. The appeal site consists of an area of garden at the rear of the appeal property separated from the main part of the garden by a hedge. Gardens of houses in Yardley Park Road are generous in size, but are not generally as long as that at No. 32. The proposal involves the construction of a 2 storey house with a partial 'catslide' roof and double garage/car port with a new vehicle access from Yardley Park Road. The access is to be constructed after the existing garage to No.32 is demolished.
 3. The house would appear conspicuously out of place in the area of rear gardens behind houses on the south side of Yardley Park Road, where there is a distinct sense of a lack of built development. The site is surrounded by gardens and seems relatively isolated. The house would be bulky and obtrusive seen from the rear of other houses in Yardley Park Road and adjoining gardens in Bourne Lane. Its bulk would not be mitigated by the surrounding hedges and it would have a distinctly urbanising effect. Moreover, the new drive would be relatively narrow and about 60 metres (m) long from the road to the new dwelling. This would be an inharmonious feature in the street scene, which is mainly defined by wide and spacious frontages. Its use by motor vehicles, albeit limited, would be an unwelcome intrusion into the quiet environment that I noted at the site visit. Where in a few locations, backland development has occurred behind the frontage of Yardley Park Road, this appears to have been carried out some years ago, when different policies would have applied.
 4. The area is described in the Council's Character Area Appraisals which are Supplementary Planning Documents (SPD). The site lies within the *H3 Yardley Park Road* area which is described as having a verdant character, lined by
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detached individually designed houses in large plots of various styles and ages from Victorian to the present day. Positive features include a spacious green, semi-rural character formed by substantial buildings set in large plots. The proposal would represent a denser, more urban type of development that would detract from the prevailing character of the area. The fact that parts of the immediately adjoining long gardens of houses in Yardley Park Road may have been sold to occupiers of houses in Bourne Lane makes no difference to character.

5. I conclude that the proposed development would conflict with the Tonbridge and Malling Borough Council Local Development Framework Core Strategy of 2007 which advises in policy CP24 that all development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings. It would also conflict with the aims of policy SQ1 of the Managing Development and the Environment (Part of the Local Development Framework for Tonbridge and Malling) Development Plan Document of 2010, which requires that development will be required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the SPD, and enhance the character and local distinctiveness of the area.

Other matters

6. I have taken account of all the other matters raised including the permitted development at a property to the rear of the appeal site including conversion of a pool house to residential. I understand that there have been other successful applications for dwellings on garden land accessed off Bourne Lane. However, development off Bourne Lane is informal in layout, more mixed and piecemeal with narrower lanes. Every proposal has to be considered on its own individual merits and nothing that has been put forward in respect of these schemes sets a precedent for the appeal proposal.
7. There is a presumption in favour of sustainable development, as a golden thread running through national guidance in the National Planning Policy Framework. Sustainability has three dimensions, social, economic and environmental, which are mutually dependant. Whilst the development would have social and economic benefits, it would fail to contribute to protecting and enhancing the natural and built environment.

Conclusion

8. For all the above reasons, the appeal should fail.

Paul Jackson

INSPECTOR