
Appeal Decision

Site visit made on 1 February 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 22 February 2017

Appeal Ref: APP/P1133/W/16/3163134

136 Ashburton Road, Newton Abbot, TQ12 1RL

- 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 Joyce against the decision of Teignbridge District Council.
 - The application Ref 16/02383/FUL, dated 28 August 2016, was refused by notice dated 18 October 2016.
 - The development proposed is a dwelling and associated external works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposals upon the character and appearance of the area. The second is the effect upon living conditions for occupiers of neighbouring properties with respect to privacy and outlook.

Reasons

Character and appearance

3. The appeal site is located in a mainly residential part of Newton Abbot alongside a busy route into the town. There is a wide variety of dwellings nearby and I saw a number of recent developments as well as older properties.
 4. Immediately to the west is a close-knit modern estate development with buildings of a traditional general style. The adjoining dwellings nearest to Ashburton Road are set behind a narrow grass verge giving a hard edge to the built up area alongside the road. Further still to the west, I saw a new large scale high density development close to a roundabout leading into an area that appeared to be under construction. That development is a substantial distance from the appeal site and is a very different form than those buildings nearby. That development has little influence upon the character and appearance of the area around the site.
 5. To the east, there are larger dwellings generally set further back from the road behind longer front gardens, often with outbuildings between the front of the dwellings and the road. These dwellings are also set out in a looser grain with more space between side elevations than the newer developments nearby. On the opposite side of the road, behind a verge, hedge and footpath is a modern
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- residential estate again with dwellings that are influenced by traditional styles.
6. The appeal site is a side garden that provides some space between the existing dwelling and the newer estate to the west. This is at a transitional part of the street scene between looser grain of development and more tightly knit buildings. The existing 2 storey dwelling is a large detached building with a large dominant gable facing the road. The site narrows towards the road, the fence between the site and the garden of the adjoining dwelling to the west being angled across towards the driveway.
 7. The proposed dwelling would be positioned alongside the existing dwelling on what is therefore a wedge shaped site. The footprint of the proposed 2 storey dwelling would be parallel with the angled boundary fence and would be tapered at the front to keep the proposal away from the existing dwelling, reflecting the shape of the site. The dwelling would be closer to the side of the existing building than is generally the case nearby.
 8. The front elevation of the building, due to the taper towards the front would be asymmetrical. This would look at odds with the general form of buildings nearby. It would also emphasise the very close position next to the existing dwelling which would give the impression of the building being squeezed into the plot. The other elevations would have a more conventional albeit modern appearance but this would not overcome the general cramped appearance that the dwelling would have when seen from the road and adjoining properties to the west.
 9. I recognise that there would be sufficient amenity space around the building and adequate parking would be retained for both dwellings. The building would also be smaller than the existing dwelling. In those respects, this would not be an overdevelopment of the site. However, the proposal would not integrate with the adjoining built environment nor sufficiently reflect nearby local character.
 10. In relation to the first main issue, the proposal would have a harmful effect upon the character and appearance of the area. This would not comply with policies S1 and S2 of the Teignbridge Local Plan¹ or policy NANDP2 of the Neighbourhood Development Plan². In these respects this would constitute a poor design, not complying with paragraph 64 of the National Planning Policy Framework (the Framework).

Living conditions

11. The proposed 2 storey dwelling would be close to the side boundaries of the site but further away from the northern, rear boundary. The first floor windows within both side elevations and the rear would be high-level roof-lights. The minimum height above internal floor level would be 1.7m which would help to prevent some overlooking of neighbouring garden areas and towards windows in those dwellings. There would be some additional overlooking but this is a residential area with 2 storey dwellings closely positioned next to each other where there is already a substantial degree of overlooking.
12. The proposed dwelling would have a close relationship with the existing dwelling. However, the main impact would be the creation of a narrow corridor

¹ Teignbridge Local Plan 2013-2033, adopted 6 May 2014

² Newton Abbot Neighbourhood Development Plan, 2016-2033, final version June 2016

between the dwellings. I do not consider that this would have an overbearing impact upon the occupants of that dwelling.

13. The proposal would not unreasonably increase the amount of overlooking of neighbouring dwellings and would not have a harmful impact upon the outlook from the existing dwelling. In relation to the second main issue, the proposal would not have a harmful impact upon living conditions for occupiers of neighbouring properties. This would comply with LP policies S1 and S2 and the requirement in paragraph 17 of the Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

14. The appellant has adapted the proposal following a previous application that was refused by the Council. I have however considered this appeal on the basis of the current proposal.
15. The proposal will make more efficient use of the site in what is an urban area with reasonable access to a wide range of services. It would also make a small but positive contribution to the housing stock of the area. However these matters and my conclusion in relation to the second main issue, on balance, do not outweigh my conclusion on the first main issue.

Conclusion

16. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR