
Appeal Decision

Site visit made on 17 February 2017

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 9th March 2017

Appeal Ref: APP/M2270/D/16/3164378

69 Plus, Warwick Park, Tunbridge Wells, Kent TN2 5EJ

- 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 Miss Angela MacCallum against the decision of Tunbridge Wells Borough Council.
 - The application Ref 16/05891/FULL, dated 19 July 2016, was refused by notice dated 15 September 2016.
 - The development proposed comprises the erection of two bay garage with accommodation above, the construction of a domestic shed and new brick walls and gates to the entrance driveway.
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Decision

1. The appeal is dismissed in so far as it relates to the erection of two bay garage with accommodation above and new brick walls and gates to the entrance driveway. I allow the appeal in so far as it relates to the construction of a domestic shed at 69 Plus, Warwick Park, Tunbridge Wells, Kent TN2 5EJ in accordance with the terms of application Ref 16/05891/FULL dated 19 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2874.0 Pr Int FP; 2874.0 Elev; 2874.0 Iso.

Procedural Matters

2. In the interest of brevity and clarity the description of development provided on the appeal form has been used in the banner heading above rather than that provided on the planning application form.
3. Whilst planning permission has been sought for new brick walls and gates to the entrance driveway, there are no drawings before me showing precisely what is proposed, only photographs of gates installed elsewhere. As such I am unable to fully assess this aspect of the proposal or, if acceptable, ensure that it could be carried out in accordance with approved drawings. The following therefore solely considers the proposed garage and shed.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the street scene.
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Reasons

5. The appeal property is a detached 2-storey house that has recently been extended to the side and rear. It is located in a residential street generally comprising large detached properties set back from the road beyond mature boundary vegetation. Consequently the area has a verdant and spacious character, a matter to which I attach significant weight.
6. The main aspect of the proposal would be the erection of a double garage between the house and the front boundary of the appeal site. This structure would have a pitched roof with a dormer window in the front slope. Whilst the site is some distance below the level of the road and the front boundary comprises dense vegetation, the roof of the garage is likely to be evident from both Warwick Park and Richmond Park opposite. In this particular section of Warwick Park, where there is a notable absence of development close to the road, the proposal would be an incongruous element in the street scene.
7. For these reasons I conclude that, due to its siting and height, the proposed garage would have an unacceptable effect on the street scene. This aspect of the proposal is therefore contrary to Policy EN1 of the Tunbridge Wells Borough Local Plan 2006 and Policies 4 and 5 of the Tunbridge Wells Borough Core Strategy 2010. Amongst other matters these policies seek high quality design that conserves and enhances the public realm and urban landscapes. There is also conflict with the Council's Alterations and Extensions Supplementary Planning Document 2006 which states that garages should normally not be in front of domestic properties nor infringe on the street scene.
8. The proposal also includes the erection of a shed. This structure would be modest in size and located to the side of the house behind the front building line. As such I am satisfied that its effect on the street scene would be minimal and I conclude that this aspect of the proposal complies with the aforementioned policies. As this element is clearly physically and functionally separate from the proposed garage a split decision allowing this element can be issued.

Conditions

9. I have considered the conditions suggested by the Council having regard to paragraph 206 of the National Planning Policy Framework and Planning Practice Guidance. For the avoidance of doubt and in the interests of proper planning, a condition requiring the shed to be constructed in accordance with the approved plans is imposed.

Conclusions

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail in respect of the proposed garage, brick walls and gates but succeed in respect of the construction of a domestic shed.

S Poole

INSPECTOR