
Appeal Decision

Site visit made on 28 March 2017

by Joanne Burston BSc MA MRTPI

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

Decision date: 09/05/17

Appeal Ref: APP/P1560/W/16/3165521

Oakhurst, 21 Queensway, Holland on Sea, Clacton on Sea, Essex CO15 5ND

- 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 Keith Lovell against the decision of Tendring District Council.
 - The application Ref 16/01237/FUL, dated 17 August 2016, was refused by notice dated 17 October 2016.
 - The development proposed is a detached bungalow (erection of).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the street scene.

Reasons

3. The area surrounding the appeal site is predominantly residential in character, with no overall cohesive design. The dwellings vary in age and form, though for the most part they are modest detached or semi-detached bungalows, with gardens to the front and rear.
 4. The appeal site occupies an area of garden to the side of 21 Queensway. Similar areas of gardens can be seen in the surrounding area which provides a degree of spaciousness and a visual breathing space to the built form hereabouts. I saw that whilst many of the dwellings in the area are positioned close to the side boundaries, their juxtaposition with one another maintains a sense of space between them.
 5. The proposed bungalow would result in the further erosion of open space within the area. Its smaller footprint and scale compared to other dwellings indicates a restricted form of development seeking to exploit the remaining available space. Although single storey in form, I consider that the scale and the proportions of the dwelling in relation to the plot size would appear as an overdevelopment of the site and would be an incongruous addition to the street scene. It would appear as a cramped form of development which would detract from the more spacious pattern of development in the locality.
 6. I note that there would be space between the existing bungalow and the proposed development, which the appellant asserts would fulfil the
-

requirements set out in the Tendring District Local Plan 2007 (Local Plan) Policy HG14. However, the Policy also states that where circumstances warrant it, as would be the case here, a greater distance will be expected. I also note the appellant's comments that similar areas of hard standing can be seen to the front of many dwellings in the area and that the proposed materials mimic those in neighbouring properties. In this respect I do not find, taken on its own merit, this design approach to be unacceptable. However, these factors do not overcome the harm I have identified above which would result in the proposal being out of keeping and visually intrusive in this part of the street scene.

7. As I saw on my site visit and on the photographs submitted by the appellant there are similar developments to the appeal proposal in the local area. Nonetheless, I do not know the circumstances of these developments and to my mind such examples demonstrate the harm that can be caused to the spacious character of the area. In any event each appeal should be determined on its own merits as I have done here.
8. For the above reasons the proposed development would be harmful to the character and appearance of the area, and would be contrary to Local Plan Policies HG14, QL9, QL10 and QL11, which seek, amongst other matters, to ensure that all new development should make a positive contribution to the quality of the local environment and protect and enhance local character. The proposal would also conflict with the aims of paragraphs 17, 56 and 58 of the National Planning Policy Framework (the Framework) that aims to provide high quality homes.
9. Whilst mention has been made to the emerging policies contained in the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document, these policies are subject to consultation and change which limits any weight that can be afforded to them.

Planning balance

10. The Council acknowledges that at the present time it is unable to demonstrate a five year supply of deliverable housing land and although the contribution would be modest, the proposal would contribute an additional housing unit to its supply, with associated social and economic benefits. However, the harm I have concluded is compelling and would significantly and demonstrably outweigh the benefits of the additional dwelling, when assessed against the policies in the Framework taken as a whole, and in particular following the requirements of Paragraph 14 of the Framework.

Conclusion

11. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Joanne Burston

INSPECTOR