The Planning Inspectorate

Appeal Decision

Site visit made on 25 January 2017

by J F Powis BA (Hons) MSc MRTPI

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

Decision date: 22 May 2017

Appeal Ref: APP/P1133/W/16/3160784
1 Priory Gardens, Dawlish, Devon EX7 9JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr K Braithwaite against the decision of Teignbridge District Council.
- The application Ref 15/03068/OUT, dated 20 October 2015, was refused by notice dated 22 July 2016.
- The development proposed is the siting of a single dwelling house.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters reserved for future consideration. I have dealt with the appeal on this basis, treating drawing no. PG.01.03 (Proposed Site Plan) as illustrative.

Main Issues

3. The main issues are:

   - whether or not the proposed development would provide adequate living conditions for future occupants, with particular regard to internal and external amenity space; and,

   - the effect of the proposal on highway safety.

Reasons

Living Conditions

4. The appeal site is a rectangular parcel of land to the rear of the house at 1 Priory Gardens. The site is accessed via a single width, sloped lane known as Priory Hill, which leads up from the High Street to its south. There is no direct vehicular access between Priory Hill and Priory Gardens but a pedestrian footpath connects the two roads. The site is currently occupied by a single garage serving the host property, set back from the road by an area of sloped hardstanding.

5. The proposed development involves the demolition of the existing garage and the construction of one residential dwelling. The proposal would incorporate the southernmost end of the existing garden to 1 Priory Gardens but would appear to leave sufficient external amenity space to serve the host property.

6. As an outline application, details of the siting and layout of the proposed accommodation are not before me. However, an illustrative site plan seeks to demonstrate that a dwelling could be accommodated by attaching to the end of the existing terrace immediately to the south of the site, with the front elevation following a comparable line onto Priory Hill.

7. The site frontage is narrow and slopes slightly downhill from north to south. The adjacent historic cottages at numbers 1 to 3 Priory Hill are modest in scale, forming a close-knit terrace. Yet even in this context, the appeal site is small for the provision of a residential dwelling. The site is located toward the end of Priory Hill, where the lane narrows considerably, ending vehicular access and allowing only pedestrian access uphill to Priory Gardens. As a result, to site a dwelling at the very front of the plot would bring it close to the existing stone wall on the opposite side Priory Hill, creating a hemmed in feeling for occupants of rooms in the front elevation of the dwelling.

8. This oppressive sense of enclosure would be compounded by the necessarily small dimensions of any dwelling on the site, given its narrow width and modest length. The appellant submits that a dwelling on the site could have a garden length of between 11.2 and 12.1 metres which would not appear to be dissimilar to the quantum of outside space available to the rear of the existing cottages at 1-3 Priory Hill.

9. However, no evidence has been provided to demonstrate that a dwelling providing sufficient internal space so as to provide acceptable living conditions for future occupants could be accommodated on the site. In the absence of such information, there is considerable doubt in my mind as to the site's suitability for the proposed development. Overall, it is my view that the dwelling would feel cramped in its plot and would not provide an acceptable standard of all round living accommodation.

10. On the basis of all the submitted evidence I conclude that the proposed development would not provide adequate living conditions for future occupants, with particular regard to internal and external amenity space. As a result, the proposal would be contrary to Policies S1 and S2 of the Teignbridge Local Plan 2013-2033 (adopted 6 May 2014) (LP), which together seek to achieve high quality development that creates inclusive layouts that promote health, well-being and residential amenity.

Highway Safety

11. The appeal proposal would result in the loss of the existing garage and associated hard-standing serving 1 Priory Gardens. The host dwelling would retain one off-road parking space on an area of hard-standing immediately to the front of the house. There is unrestricted on-street parking along both sides of Priory Gardens, although this part of the road is of restricted width and a no-through road, giving the potential for congestion at busy times.

12. 1 Priory Gardens is a moderately-sized semi-detached house. I consider that the combination of one off-road parking space together with some on-street parking provision in close proximity would be sufficient to serve the host property. Consequently, the loss of the garage for the appeal development would not lead to such a reduction in parking associated with 1 Priory Gardens as to cause material harm to highway safety in the area.

13. Notwithstanding this, the creation of a new residential unit on the appeal site would be very likely to generate additional demand for associated car parking provision. There is no indication in any of the submitted material that it would be proposed to provide an off-road parking space within the appeal site itself. Indeed, having visited the site it seems unlikely that there would be sufficient space for both parking provision and a dwelling.

14. Priory Hill is a single-width lane which slopes uphill from the High Street and becomes pedestrian-only immediately adjacent to the appeal site. There is no on-street parking provision on Priory Hill and the adjoining High Street is a one-way road flanked by high-density terraced housing with very limited on-street parking permitted. There is therefore very limited off-site car parking availability in the vicinity of the site which supports the Council's submissions that it is an area in which demand for parking spaces exceeds supply.

15. I am also mindful that Priory Hill forms part of a well-used pedestrian route from the town centre to surrounding residential areas. This means that pedestrians regularly pass close to the front of the appeal site and underlines the need to minimise the potential for conflict between vehicles and pedestrians in the vicinity of the site.

16. Taking all of these matters into account, I conclude that the proposal would put extra pressure on an area already suffering with on-street parking shortages which could lead to poor parking behaviour resulting in an unacceptably harmful impact on highway safety. Consequently, the appeal development would conflict with Policies S1 and S2 of the LP, insofar as they require proposals to perform well in terms of road safety and to allow for ease of movement within and around development sites.

Other Matters

Benefits of the Proposal

17. The site lies within the settlement limits of Dawlish and is well related to the facilities of the town centre. These are matters that weigh in favour of the proposal. However, they are not sufficient to outweigh the unacceptable harm that I have identified in respect of the main issues in this case.

Dawlish Conservation Area

18. The appeal site sits immediately adjacent to the boundary of the Dawlish Conservation Area (CA). In determining this appeal, I have paid special attention to the desirability of preserving or enhancing the character and appearance of the CA and my statutory duties[1] in this regard. Whilst the appeal site itself is not within the CA boundary, paragraph 129 of the National Planning Policy Framework (the Framework) requires consideration of the effects of development on the setting of heritage assets, which includes conservation areas.

19. I note that the Council officer's report states that the proposal would have a detrimental impact on the setting of the CA but this is not ultimately cited as a reason for refusal of the application. On the basis of the evidence before me, I have also some concerns about the compatibility of the proposal with the setting of its adjacent CA. However, since I am dismissing the appeal on the

[1] Under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

basis of the main issues outlined above, it would not alter the overall outcome of the appeal for me to consider this matter further here.

Conclusions

20. For the reasons given above I conclude that the appeal should be dismissed.

J F Powis

INSPECTOR