

Appeal Decisions

Site visit made on 25 April 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 23rd May 2017

Appeal A: APP/G2245/W/17/3166778

14 Garden Cottages, Leigh TN11 8QB

- 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 and Mrs S Parker (c/o Spurdawn Ltd) against the decision of Sevenoaks District Council.
 - The application Ref SE/16/02846/FUL, dated 15 September 2016, was refused by notice dated 22 November 2016.
 - The development proposed is dwelling attached to 14 Garden Cottages.
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Appeal B: APP/G2245/W/17/3166762

9 Garden Cottages, Leigh TN11 8QB

- 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 and Mrs S Parker (c/o Spurdawn Ltd) against the decision of Sevenoaks District Council.
 - The application Ref SE/16/02845/FUL, dated 15 September 2016, was refused by notice dated 22 November 2016.
 - The development proposed is dwelling attached to 9 Garden Cottages.
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Decisions

Appeal A: APP/G2245/W/17/3166778

1. The appeal is dismissed.

Appeal B: APP/G2245/W/17/3166762

2. The appeal is dismissed.

Procedural Matter

3. As set out above two appeals have been made by the same appellant on Nos. 9 and 14 Garden Cottages and I carried out a joint site visit. Both proposals relate to similar forms of development and whilst I have considered each proposal on its own merits, in order to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
 4. In both appeals the Council's second reason for refusal relates to the effect on living conditions of adjoining occupiers, in terms of outlook. However, it was evident from my site visit that ground floor rear extensions were being constructed across the whole of the rear of the terrace. Having been subsequently provided with the details and having sought comments from the Council, the Council confirmed that they wish to withdraw this reason. I have
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no reasons to disagree and consequently I have not considered this matter any further.

Main Issues

5. In both Appeals A and B the main issues are:

- The effect of the proposal on the character and appearance of the area, including the effect on a non-designated heritage asset.
- Whether the proposal provides adequate car parking provision and the effect on highway safety.

Reasons

Character and appearance

6. Garden Cottages is formed by 5 terraces of 4 and 6, 2 storey cottages of an Arts and Craft style set around a central green open space. There is a consistent 2 storey scale and building line which defines the open space and rooflines are well articulated with gables and chimneys. The group that the appeal properties belong to contain hipped roofs on forward projecting gables at each end. Gaps between the side of the terrace and the side boundaries provide views of mature trees to the rear and a sense of spaciousness and openness at the end of the cul-de-sac that positively contributes to the character and appearance of the area.
7. The extension of the terrace on one side only would harm the symmetrical arrangement and existing uniformity of design creating an unbalanced appearance. The close proximity of the proposals to the side boundary would also have the effect of squaring off the ends of the terrace which provide key views on the approach into the cul-de-sac.
8. Furthermore, despite the use of sympathetic materials and fenestration the extensions have been designed with gable ends. It was evident from my visit that hipped roofs are prevalent on this style of property and are integral and important design features. Such an addition would, to my mind, appear unsympathetic and incongruous and in such a context would not represent a high quality of design.
9. Turning to the effect on a non-designated heritage asset, the Planning Practice Guidance ('PPG') advises that local lists incorporated into Local Plans can be a positive way of identifying non-designated heritage assets on a consistent basis, but neither this nor the National Planning Policy Framework ('Framework') requires that a building must be on a local list before it can be treated as a non-designated asset: the definition refers only to 'assets identified by the local planning authority (including local listing)'.
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10. The cottages as a whole form a single entity which includes the associated central green area. On the evidence before me it is an example of an early 20th century rural housing co-operative housing scheme that was developed alongside the garden city movement. It therefore, as a whole, has clear local interest as a heritage asset that is culturally significant to the architectural, social and economic history of the area and I agree with the Council that it signifies a set-piece of distinctive townscape value. In both Appeal A and B the infilling of the open appeal site with a very different form of development would

undermine the setting of the cottages and would not make a positive contribution to local character and distinctiveness. The proposals would therefore cause harm to the significance of the cottages as a non-designated heritage asset.

11. I have considered whether a Grampian style planning condition could be imposed which ensured that both proposals are carried out. However, even with a condition requiring completion of both the proposals this would still result in the closure of the gaps to the sides of the terrace and would substantially diminish the contribution that the appeal sites currently make to the character and appearance of the area. There would also still be harm to the significance of the non-designated heritage asset. In this particular case a Grampian style condition would not therefore be appropriate and would conflict with paragraphs 203 and 206 of the Framework as it would not make an otherwise unacceptable development, acceptable and is not therefore necessary.
12. For these reasons, the proposal in both Appeals A and B would cause significant harm to the character and appearance of the area and harm to Garden Cottages as a non-designated heritage asset. Individually or together there would be conflict with Policy SP1 of the Sevenoaks Core Strategy 2011 ('CS') and Policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan 2015 ('ADMP'). Amongst other things and when taken as a whole, these require a high standard of design that responds to the distinctive local character of the area and that heritage assets should be conserved and enhanced. I find these policies consistent with the Framework and therefore the proposals would also conflict with the design and heritage objectives of the Framework.

Highway safety

13. Individually there would be a shortfall of 2 parking spaces compared with the Council's adopted standards. Parking restrictions were in place around the green but a number of opportunities to park vehicles adjacent to the front boundaries of the properties did exist, in addition to space being available on Powder Mill Lane to safely park.
14. There is no evidence before me of any particular highway safety issues associated with on-street parking in this locality and I note that the Highway Authority did not object to the proposal on highway safety grounds. From my observations, albeit during the morning, I consider that any modest increase in potential on-street parking as a result of one or two additional dwellings would not cause harm to highway safety.
15. For these reasons, there would be no conflict with Policy T2 of the ADMP, which seeks to prevent harm to the local highway network through by ensuring an appropriate vehicle parking provision in new residential developments.

Other Matters

16. I acknowledge that the properties may have been improved and that the proposals would provide additional and updated living accommodation. However, the social and economic benefits from the provision of 1 or 2 new dwellings would not outweigh the harm that I have identified in relation to the first main issue.

Conclusion

17. For the reasons set out above, in both appeals although I have found no harm to highway safety the proposals, individually or together, would cause significant harm to the character and appearance of the area and harm to the significance of a non-designated heritage asset.
18. In my view, these are the prevailing considerations and although the proposals in both appeals would accord with some aspects of the development plan, they would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that decisions should be made other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that both Appeal A and B should be dismissed.

Richard Aston

INSPECTOR