
Appeal Decision

Site visit made on 18 August 2017

by N A Holdsworth MCD MRTPI

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

Decision date: 08/09/17

Appeal Ref: APP/X2220/W/17/3174862
28 Temple Way, Worth, CT14 0DA

- 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 W Palmer against the decision of Dover District Council.
 - The application Ref DOV/17/00119, dated 26 January 2017, was refused by notice dated 14 March 2017.
 - The development proposed is attached 2 storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposed development on i) the character and appearance of the area, and ii) the living conditions of future occupiers of the unit, with particular regard to whether a substandard unit would be created.

Reasons

Character and Appearance

3. The proposed development would form part of a line of dwellings facing a road called 'The Street'; being attached to the end of an existing terrace of 5 two storey buildings. It would infill an existing garden area that comprises a gap between the terrace and the neighbouring property at 1 Chestnut Drive.
4. The dwelling would have a different orientation to other buildings on the terrace, reflected in the location of its front door on the side elevation, and patio doors on the ground floor front elevation serving the main living room. The patio doors at ground floor level would differ sharply from the fenestration on the remainder of the terrace, which has a regular, symmetrical form with defined front doors opening out on to established front garden areas with footpaths leading to the road. In consequence, the proposed development would appear incongruous in relation to the remainder of the terrace. The harm that arises from this poor relationship would be exacerbated by the fact that this element of the development would be readily visible from the road in front of the building.
5. In other regards, the modest forward projection of the proposed development would be consistent with the established building line; as the bulk of 1 Chestnut Drive is located forward of the terrace. The front gable wall would be

in scale with the height and shape of the existing roof of the building. The appearance of the rear of the property would be similar to the remainder of buildings along the terrace. Permission was granted by the Council for a development of similar bulk in 2004, albeit as an extension to the existing dwelling. However, the development proposed is of a materially different character as it relates to the provision of a new dwelling; and the patio doors in particular comprise a harmful element that was not part of the previously approved proposals.

6. As such, the proposed development would fail to improve the character and appearance of the area and the way it functions. It conflicts with the requirement set out in Paragraphs 17 and 64 the National Planning Policy Framework (the Framework) that requires new developments to achieve a high quality of design, and there are no benefits of the development that would outweigh this harm. It also conflicts with policy WDP02 of the Worth Neighbourhood Plan which seeks to ensure developments respect the existing grain and street scene.

Living conditions

7. The Council express concern about harm to living conditions of future occupiers arising from the proposed development. However, no reference is made to conflict with adopted space standards to support this assessment. Whilst the proposed dwelling is narrower than others within the terrace, it is over three metres wide; and as such the internal rooms would not appear unduly narrow or cramped. Whilst the dwelling is smaller than others in the surrounding area, the overall size of the dwelling and rooms within it are of a scale that would provide an acceptable standard of habitable living accommodation for future occupiers. In consequence, there is no conflict with paragraph 17 of the Framework that requires developments to secure a good standard of amenity for future occupants.

Conclusion

8. I have found that the proposed development would not result in harm to the living conditions of future occupants through the creation of a substandard unit. However, the proposal would result in harm to the character and appearance of the area. For the reasons set out above and having regard to all matters raised, I conclude that the appeal should be dismissed.

INSPECTOR

Neil Holdsworth