The Planning Inspectorate

Appeal Decision

Site visit made on 15 July 2020

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 21 July 2020

Appeal Ref: APP/P1133/D/20/3248240
6 Harts Close, Teignmouth TQ14 9HG

- 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 Peter Rose against the decision of Teignbridge District Council.
- The application Ref 19/02489/FUL, dated 11 December 2019, was refused by notice dated 5 February 2020.
- The development proposed is the raising of front garden area to provide off road parking with new dropped kerb.

Decision

1. The appeal is allowed and planning permission is granted for the raising of front garden area to provide off road parking with new dropped kerb at 6 Harts Close, Teignmouth TQ14 9HG, in accordance with the terms of the application, Ref: 19/02489/FUL, dated 11 December 2019, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

    2) The development hereby approved shall in all respects accord strictly with drawing number: 1914-1 - Elevation/Floor Plan/Site Location Plan received by the Local Planning Authority on 11 December 2019.

Main Issue

2. The main issue is the effect of the proposed development on the street scene within Harts Close.

Reasons

3. The appeal property is a semidetached dwelling which is located within a residential area. The front garden amenity area is set down at a lower level than the adjacent highway and associated pedestrian footway, behind a low wall which steps down in levels as the level of the adjoining highway slopes away to the north.

4. Whilst the appearance of the appeal property and its immediate neighbours are relatively consistent in terms of their design and in terms of their separation from the adjoining highway and footway by low boundary walls, properties within Harts Close can be properly described as mixed in terms of their character and appearance, with detached and semidetached dwellings

occupying plots of various sizes and which exhibit a variety of boundary treatments which front onto the highway. Within Harts Close variety is the rule and, in my view, it is the mixture of styles and designs of buildings and the varied form of boundary treatments, which define the character of the area and the street scene.

5. The appeal proposal seeks to raise the level of the front amenity area for an off street parking space. The boundary wall would be replaced with railings which would allow for vehicles to enter or exit the site. Whilst it is acknowledged that the immediate neighbouring dwellings are set back from the highway behind low walls, there a numerous examples of the use of railings within Harts Close and the wider nearby surrounding residential area, both in the context of architectural design as part of balconies but also in relation to boundaries which front onto the adjacent highway. The existing boundary wall makes no significant contribution to the character and appearance of the surrounding area or to the street scene and, in my view, the proposal would maintain rather than diminish the character and appearance of the area.

6. It is noted that there were no highway safety objections to the introduction of the proposed parking and dropped kerb. Furthermore, at the time of my site visit, which was around midday, there were clear indications of parking stress within Harts Close, with vehicles being parked on the limited amount of pedestrian footway on the western side of the road which significantly narrowed the highway and interrupted the free flow of traffic. Whilst the proposal would provide only one additional off street parking space, it would nonetheless be likely to make a positive contribution towards reducing the level of obstructive on street parking within Harts Close.

7. For the above reasons, the appeal scheme would comply with the requirements, aims and objectives of Policies S1, S2 and WE8 of the Teignbridge Local Plan 2013 -2033 which, together and amongst other things, seek to ensure that the design and materials of the proposal is of high quality which compliments the existing dwelling and that there be no loss of key features which make a contribution to the character of the surrounding area.

Conditions

8. In addition to the standard three year period implementation condition, which is a statutory requirement, it is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord.

Conclusion

9. For the reasons given above, the appeal succeeds and planning permission is granted subject to the conditions identified.

A Spencer-Peet

INSPECTOR