

Appeal Decision

Site visit made on 20 July 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2020

Appeal Ref: APP/P1133/D/20/3252512
7 Queens Close, Kingsteignton TQ12 3RD

- 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 Vinny Chalk against the decision of Teignbridge District Council.
 - The application Ref 20/00058/FUL, dated 10 January 2020, was refused by notice dated 11 March 2020.
 - The development proposed is vehicular hardstanding to dwelling with storage beneath.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I noted from my site visit that the development applied for had already been commenced but not yet completed.

Main Issue

3. The main issues are the effects of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of occupiers of the host dwelling, in terms of loss of light and outlook.

Reasons

Character and appearance

4. No 7 Queens Close is a detached, two storey dwelling set amongst an estate of similar dwellings which each have a degree of set back from the road. Front gardens are generally open with small areas of landscaping, albeit that there is one dwelling nearby with a slightly elevated front garden retained by a low brick wall. Other exceptions include front gardens enclosed by high hedging. As many dwellings have driveways, examples of gardens being entirely hardsurfaced to provide additional parking are limited.
5. The appeal proposal has introduced a levelled hardsurfaced platform on the area in front of the dwelling. Due to the way that it is built on a slope, it is accessed from the road level at one side and there is a high wall on the other. Evenly spaced timber posts provide some definition to the side and rear edges. The rear of the structure sits approximately 1 metre away from the front elevation of the dwelling.

6. In terms of its effect on the character and appearance of the area, the proposal has resulted in some degree of harm. It is a bulky structure that stands proud of the street and which appears insensitively positioned in relation to the dwelling and streetscene, filling the frontage space with hardsurfacing. As the dwelling already has a driveway sufficiently long enough for multiple cars, in addition to a single garage alongside the house, the proposal appears an unnecessary and unsympathetic addition.
7. The position of the dwelling, along with its recently constructed boundary fencing, adjacent to the car park and garage block, is not so different from its neighbouring counterparts so as to have a unique or isolated context. Furthermore, the indication that the walls would be finished with rendered masonry suggests that it will also be stark in its finished quality in comparison to the largely dark brick walls elsewhere in the area. Whilst the appellant indicates that the scheme should be assessed in the context of the broader plans to demolish the garage and extend the dwelling to the rear and side, such proposals are not before me as part of this appeal.
8. Considered on the basis of the submitted plans, the development is harmful to the character and appearance of the area contrary to, in particular, Policy WE8 of the Teignmouth Local Plan 2013 – 2033 (adopted 2014) (Local Plan). This Policy, amongst other things, seeks to ensure that existing dwellings can be adapted and improved while complementing the character of existing residential areas. For similar reasons, the proposal also conflicts with the National Planning Policy Framework.
9. Given the location of the site, I do not consider that the policies of the Newton Abbot Neighbourhood Plan are relevant to the current proposal.

Living conditions

10. The structure has been constructed on what was a sloping front garden with a boundary hedge. The two windows in the dwelling at ground floor level would have allowed an outlook up towards street level with a pleasantly open aspect.
11. The position, height and bulk of the structure is such that the ground floor windows now look towards an expanse of wall at close range. This quality of outlook is materially different to that previously enjoyed by the occupants. Furthermore, the degree of light capable of entering the rooms is also severely diminished by the position, bulk and height of the structure relative to the position, orientation and size of the windows.
12. Whilst the appellant indicates that the impacts of the structure in respect of outlook and light are acceptable to them in the context of their future plans to provide a compensatory window in the south elevation, my assessment is made on the basis of the plans before me and on the basis that the living conditions will endure beyond the occupation of the dwelling by the appellant.
13. As such, the proposal is harmful to the living conditions of occupiers of the host dwelling, contrary to Policy WE8 of the Local Plan.

Other Matters

14. The appellant has drawn attention to similar developments at No 16 Golvers Hill Road, Well Close and Warecroft Road. Based on the limited evidence before me, in respect of 16 Golvers Hill, that scheme appeared to be entirely level

from the road without the additional bulk at street level. It also appeared to maintain an outlook from the front ground floor windows, unlike the current proposal. In respect of Well Close and Warecroft Road, on the basis of the limited details provided, I do not consider that those proposals are so similar as to suggest that the current proposal should be considered acceptable.

15. I have considered the other points raised by the appellant in terms of improving safety, increased storage provision, removing car congestion from the surrounding estate road, future plans to provide an electric vehicle charging point and other changes, the recycling of waste materials and the economic contribution made by the appellant's local business. However, none of these matters are so certain or of such weight that they outweigh the identified harm.

Conclusion

16. The proposal conflicts with the Development Plan. There are no considerations of sufficient materiality to indicate that a decision should be taken other than in accordance therewith.
17. Accordingly, the appeal is dismissed.

Hollie Nicholls

INSPECTOR