
Appeal Decision

Site visit made on 6 October 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2020

Appeal Ref: APP/Q1153/W/20/3255592

9 Old Launceston Road, Tavistock PL19 8NA

- 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 Mrs Eldridge against the decision of West Devon Borough Council.
 - The application Ref 3342/19/FUL, dated 14 October 2019, was refused by notice dated 9 January 2020.
 - The development proposed is new single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Planning permission was granted in 2018¹ for an annex building of the same size, design and location as the proposed dwelling. The building is under construction, and the plot has been divided from the garden of the host dwelling by a close-boarded fence. I am therefore dealing with the appeal retrospectively.
3. After determination of the application, the Council adopted the Plymouth and South West Devon Supplementary Planning Document (the SPD) on 9 June 2020. Consequently, it is a material consideration in my decision. The appellant has had the opportunity to comment on the guidance it contains.

Main Issues

4. The main issues are:
 - a) The effect of the development on the character and appearance of the area;
 - b) Whether the dwelling would provide acceptable living conditions for future occupants;
 - c) The effect of the development on the living conditions of the occupants of the host dwelling; and,
 - d) Whether the dwelling would meet local housing need.

¹ Local planning authority reference: 4420/17/HHO

Reasons

Character and appearance

5. The appeal site is one of a row of ten detached bungalows that front Sunway Close or Old Launceston Road, and back onto New Launceston Road. Apart from the bungalows at either end of the row, they all have good-sized back gardens which, together, result in a sense of spaciousness between the bungalows and the road to the rear. This openness is evident, to some extent, through the gaps between the buildings in Sunway Close and Old Launceston Road. However, it is more clearly experienced from New Launceston Road, where the bungalows are set well back from the almost continuous roadside boundary hedge, giving the edge of the settlement a low density, well-vegetated character.
6. The rear boundary hedge has been removed from the appeal site. Consequently, and due to its proximity to New Launceston Road, the proposed building is a prominent feature in the street scene. It intrudes into the open space to the rear of the bungalows, and interrupts the continuous rear hedgerow that softens the edge of the development. Whilst permission already exists for the building, this is based on it being an ancillary structure within the garden of the existing bungalow. The proposal for a separate dwelling involves the subdivision of the curtilage with a close boarded fence. This subdivision is evident from New Launceston Road, and is noticeably at odds with the spacious pattern of the surrounding development, where the bungalows generally occupy large plots with generous gardens.
7. Whilst there are a mix of dwellings and plot-sizes in the wider area, the appeal site is seen very much in the context of the surrounding bungalows, which have a coherent layout and character. None of the other plots in the row has had its back garden shortened. The proposed subdivision would result in a plot that is very much smaller than the others, and the building would occupy a much higher proportion of the space than is characteristic of the locality. The resultant cramped nature of the site would be out of keeping with the prevailing pattern of development, and would be harmful to its character and appearance.
8. For these reasons, I conclude that the development would be contrary to Policy DEV20 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (the Local Plan), which seeks to ensure that development proposals contribute positively to the townscape by, amongst other things, having proper regard to the pattern of local development. The proposal would also fail to meet the aim of the National Planning Policy Framework (the Framework) to achieve well-designed places that are sympathetic to local character.

Living conditions for future occupants

9. Policy DEV10 of the Local Plan requires new dwellings to provide suitable accommodation for the needs of occupants, and to meet the Nationally Described Space Standards (NDSS)². The dwelling would have a total floorspace of 47.8 square metres. The only bedroom would be less than 2.75 metres wide and 11.5 square metres in area. Consequently, although a double bed is shown on the floorplans, the room would not be large enough to

² Department for Communities and Local Government Technical housing standards – nationally described space standard - March 2015

accommodate two bedspaces under the terms of the NDSS. The dwelling would, therefore, be a 1 bedroomed/1-person dwelling, which requires a floorspace of 39 square metres to meet the NDSS. As the floorspace comfortably exceeds this minimum requirement, the necessary 1 square metre built-in storage area could also be provided. The dwelling would, therefore, meet the minimum gross internal floor area and storage requirement of Table 1 of the NDSS.

10. Policy DEV10 also requires sufficient external amenity space to be provided. The table in the SPD indicates that, for a detached dwelling, a minimum area of 100 square metres should be provided. However, the text also says that proximity to local parks and public open spaces, and the number of bedrooms in the dwelling will be taken into account. In this case, the dwelling would only be suitable for a single person, so the SPD requirements should be considered flexibly. Nevertheless, the dwelling would fill a considerable proportion of the available site, so the remaining outdoor space would be very limited in area and usability.
11. The land to the west of the dwelling would be a narrow strip between the building and New Launceston Road, which carries significant levels of traffic. This area, and the small areas to the north and south of the building, would not provide attractive or relaxing outdoor spaces for the occupants, due to the noise and fumes from traffic, and lack of privacy, resulting from the proximity to the busy road. Whilst more sheltered, the area to the east would be a similarly narrow strip of land, sandwiched between the building and a two-metre fence. It would, therefore, be shaded for much of the day. Allowing for circulation space, there would be little room for outdoor furniture, or any meaningful open-air activities.
12. There is an area of public open space nearby. However, occupants would have to walk about 200 metres to access it, and the route would include walking on a road without footways and on an unmade track through woodland. This open space is an unequipped grassed area within a housing development. Due to its distance from the dwelling, and its nature, it is unlikely to prove an attractive option for regular use by occupants, so would not compensate for the paucity of the private space provided by the proposal.
13. The amount and nature of private outdoor space would, therefore, fail to provide acceptable living conditions for future occupants of the dwelling. The proposal would therefore conflict with Policy DEV10 of the Local Plan, insofar as it seeks to ensure that sufficient external amenity space is provided for new dwellings. The proposal would also fail to meet the aim of the Framework to create places with a high standard of amenity for future users.

Living conditions of the occupants of the host dwelling

14. The proposed dwelling would rob 9 Old Launceston Road of the majority of its private rear garden. Its main elevation, containing full length living room and bedroom windows, would face the rear elevation of the existing bungalow at very close quarters. The boundary fence would prevent overlooking, but the presence of the new dwelling, so close to the rear of the bungalow, would be likely to lead to noise and disturbance for the occupants.
15. Due to the restricted size of the site, and the impact of noise from New Launceston Road, occupants of the dwelling would be heavily reliant on the

windows in the east elevation for ventilation. When these windows were open, noise generated from within the dwelling, such as music and other domestic noise, would be heard in the rear garden of the bungalow, which is only a few metres away. Outdoor activity would also be concentrated on the eastern side of the dwelling, due to the restrictions imposed by the road. Consequently, there would be noise in very close proximity to the rear garden of the bungalow, where a degree of tranquillity could be expected. As the remaining back garden for the bungalow would be very short, occupants could not retreat far from the rear boundary to escape any disturbance.

16. The host dwelling also has a garden to the front, which is well-screened from the road and neighbouring properties by hedges, so provides a relatively private space for the occupants. However, access to the dwelling to the rear would be via the bungalow's existing driveway off Old Launceston Road. Therefore, the occupant, and their visitors and delivery/service workers, would all have to walk down this driveway close to the front of the bungalow. This would result in disturbance and loss of privacy for occupants of the front garden.
17. The proposal would therefore harm the living conditions of the occupants of the host dwelling through an increase in noise and disturbance to the rear, and a loss of privacy to the front garden. The development would therefore be contrary to Policy DEV1 of the Local Plan, which seeks to ensure that development proposals provide for satisfactory privacy and protection from noise disturbance for new and existing residents. The proposal would also fail to meet the aim of the Framework to create places with a high standard of amenity for existing users.

Local housing need

18. Policy DEV8 of the Local Plan seeks to achieve a mix of housing sizes, types and tenure appropriate to the area, and as supported by local housing evidence. There is disagreement between the parties as to whether a one-bedroomed dwelling would redress an imbalance within the existing housing stock, or would fail to meet the need for larger 3 and 4+ bed properties in Tavistock. In view of the very limited size of the site, however, this is a somewhat moot point. I have already found that the small plot-size would result in insufficient outdoor amenity space being available for a one-person dwelling. It therefore follows that the plot would not be able to accommodate a 3 or 4+ bed property.
19. Paragraph 59 of the Framework aims to significantly boost the supply of homes. Paragraph 68 says great weight should be given to the benefits of using suitable sites within settlements for housing. Section 11 of the Framework promotes an effective use of land in meeting the need for homes. Therefore, whilst new development should seek, as far as possible, to be tailored to the identified needs of the area, opportunities should be taken to make efficient use of any suitable site to meet the general need for additional housing.
20. A one-bedroomed dwelling would widen the range of housing in the immediate area. It may also be suitable for an older person wishing to retain a sense of self-sufficiency. In any event, a single dwelling, of a scale governed by the size of the available plot, would have a marginal impact on the balance of the local housing market. Therefore, in the particular circumstances of this case, I find

no conflict with Policy DEV8 of the Local Plan, which seeks to meet local housing need.

Conclusion

21. Although I have found no conflict with Policy DEV8 of the Local Plan, the development would harm the character and appearance of the area; would fail to provide suitable outdoor amenity space for future occupants; and would be harmful to the living conditions of the host property.
22. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR