
Appeal Decision

Site visit made on 27 February 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 27 March 2017

Appeal Ref: APP/T2215/W/16/3157953

Prospect Place Retail Park, Prospect Place, Dartford , Kent DA1 1DY

- 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 Robert Pretorius against the decision of Dartford Borough Council.
 - The application Ref 16/00785/COU, dated 18 May 2016, was refused by notice dated 14 July 2016.
 - The development proposed is the change of use of 3 car parking spaces for the erection of a detached portable cabin for clothes recycling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The proposal has already been implemented.

Main Issues

3. The main issue in this appeal are,(i) the effects on the character of the area, including the setting of the listed building and, (ii) the effects on the car parking capacity.

Reasons

Character of the area and setting of listed building

4. The portable building has been sited within the car park which serves this retail area. It is located at the edge of the car park, immediately adjacent to its boundary with Westgate Road. The retail units have been arranged in a rough 'L' shape, being set away from the corner of the site at the junction of Westgate Road and Priory Road, with the exception of the small restaurant building. The Manor Gatehouse is located to the west of the retail park and has a frontage onto Priory Road. The Manor Gatehouse is the principal remains of a royal palace which stood on the site and it is Grade II* listed.
5. The appeal building has a harsh appearance due to its siting close to the site boundary, the lack of any landscaping or other features to soften its appearance and its stark, cuboid design. Although the other buildings within the retail area are modern in design some consideration has been given to providing a visual setting and an acceptable face to them. The appeal building appears to have been conceived with neither of these in mind. It appears as

an after-thought to the layout of the area and stands awkwardly and incongruously within the car park. It presents a particularly harsh face to pedestrians when passing on Westgate Road. In my judgement it acts as a considerable detractor to the character of the area and fails to harmonise with it. The National planning Policy Framework (the Framework) identifies that good design is a key aspect of sustainable development and is indivisible from good planning. I consider that the appeal building fails to achieve these aims.

6. The Council has set out the brief history of the development of the area in relation to the listed building. It appears that much of the area was occupied by industrial premises and the redevelopment for retail purposes allowed a more sympathetic setting for the listed building to be created. It is noted that the retail buildings have been set away from the listed building which stands within its own gardens; the retail area was kept free from buildings and provides car parking close to the listed building in order to enhance its setting.
7. The Framework notes that great weight should be given to the conservation of a designated heritage asset and the more important the asset, the greater that weight should be. I consider that the open aspect provided by the car parking helps to provide some sense of setting for the listed building. Although the appeal building is set some distance from the listed building, I consider that it compromises the open setting which has been provided for it. Taking account of the importance of the listed building, I consider that the appeal scheme has an unacceptable effect on its setting. In this respect, I consider that there are no public benefits which outweigh this harm.

Car Parking

8. The proposal takes up 3 car parking spaces within this very large open car park. Although the Council states that the car park is well used during peak times, there are no surveys provided which confirm the levels of use. Within the context of the size of the car park, I find it unlikely that the loss of 3 spaces would give rise to an unacceptable provision of space to cater for the demand from shoppers. In the absence of any evidence to the contrary, I consider that the appeal building does not give rise to an unacceptable loss of car parking provision.

Conclusion

9. The appeal building has an unacceptable effect on the character of the area generally and more specifically on the setting of the important nearby listed building. I consider that there are no benefits that outweigh the harm that arises in relation to these matters. As a consequence, the proposal is contrary to Policy CS2 of the Core Strategy, Saved Policy B1 of the Local Plan 1995. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR