
Appeal Decision

Site visit made on 24 April 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/M2270/W/17/3169223

66 St Johns Road, Royal Tunbridge Wells TN4 9PE

- 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 Ishmael Refet against the decision of Tunbridge Wells Borough Council.
 - The application Ref 16/06109/FULL, dated 4 August 2016, was refused by notice dated 22 September 2016.
 - The development proposed is the construction of a raised front terrace, conversion of existing front window to door opening.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. The proposal seeks to construct a raised front terrace and replace an existing front window with a doorway. At the time of my visit the works were partially complete; the raised area of the terrace appeared to be finished, but timber cladding around the sides of the terrace was only partially complete. The window remained as such.
3. The main issue in this case is the effect of the front terrace on the character and appearance of the surrounding area.

Reasons

4. St Johns Road is a busy commercial road. In the vicinity of the appeal site the street is lined with various shops, restaurants and other commercial outlets, with the west side of the street being largely characterised by buildings directly fronting the pavement, and those on the east side being set back slightly more to allow small forecourts in front of them. The appeal site is one such property, being a public house with a small area in front of it. There is no dispute amongst the parties that this area has traditionally been used for patrons of the pub to sit out on.
 5. Such an arrangement is commonplace in the local streetscene; at my visit I noted a small seating area outside a café opposite to the site, and further to the north a fish & chip shop and adjacent coffee shop both had tables and chairs set out on their larger forecourts. However, I saw no examples of raised seating areas directly fronting the highway. Due to this the raised terrace and accompanying partially completed enclosure appeared out of place in the area, with the structure appearing as a discordant feature in the street scene. The
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proposed full height cladding to the complete perimeter of the terrace would magnify this effect.

6. Other examples have been provided to me in evidence, which I noted on my visit. However, as above, none of these incorporated a raised terrace directly by the public highway, and fully visible to the various pedestrians and road users on the busy street. There is an adjacent convenience store to the appeal site with a small car park to the front and a narrow fenced storage area to side, but no raised area, and an adjacent nursery to this building also had a fence largely enclosing the front elevation, but again this was not raised and remained fairly open visually. A further pub to the northern side of the appeal site had a terraced area set at first floor level to the side of the building, but this appeared to use an existing roof top and was considerably more hidden from public view, and an enclosed plant area to the side was also not particularly noticeable. The coffee shop had a low painted fence surrounding much of their larger forecourt but this was reasonably low key and the area within was not raised.
7. I can appreciate that the traditional outdoor seating area for the pub would also have been prominent in the street scene; however, as described above such a use would not appear out of place in the area which is partly characterised by a range of similar establishments. However, a fairly high fully enclosed wooden terrace would, and does, appear out of place and incongruous in the local area.
8. The appellant states that the proposal would allow customers to access the seating area directly from the bar area to provide a better experience for them. However, I note that the Council have raised no objections to the proposed alteration from a window to a doorway, which could equally access the former ground floor seating area.
9. I therefore conclude that the front terrace would have an adverse effect on the character and appearance of the surrounding area. The terrace would be, and is, contrary to Core Policies 4 and 5 of the Core Strategy¹ and Policy EN1 of the Local Plan², which when read together state that the Borough's built environment and public realm will be conserved and enhanced with developments of a high quality design. The proposal would also be contrary to the National Planning Policy Framework, which states that planning should always seek to secure high quality design, and that good design should contribute positively to making places better for people.
10. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR

¹ Tunbridge Wells Borough Local Development Framework Core Strategy Development Plan Document June 2010

² Tunbridge Wells Borough Local Plan March 2006