
Appeal Decision

Site visit made on 16 November 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date: 07 December 2017

Appeal Ref: APP/X2220/W/17/3180281
2 Foster Way, Deal, Kent CT14 9QP

- 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 Liam Smith against the decision of Dover District Council.
 - The application Ref DOV/17/00129, dated 23 January 2017, was refused by notice dated 27 March 2017.
 - The development proposed is described as '*Erection of an attached building.*'
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the proposal's effect on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling situated at the junction of Foster Way and Dola Avenue. The proposal would involve the creation of a new dwelling, attached to the existing house, building on what is currently an area within the existing side garden.
4. Although slightly recessed from No 2's frontage its general profile and gabled end would reflect that of the existing house. Indeed, although the Council has raises an objection as to the proposed dwelling's scale and design, I find that the appeal turns, instead, on the impact that would result on the prevailing pattern of development in the immediate locality.
5. Foster Way shows a characteristic rhythmic pattern with pairs of semi-detached properties and clear demarcation. The proposed development would be at odds with this design arrangement, and would result in a terracing effect. Moreover, in projecting the existing flank wall significantly closer to the side boundary with the Dola Avenue footway, the new side building line would lie, at least in part, forward of the frontage of No 47 Dola Avenue. This would be visually detrimental to the streetscene exacerbated by the fact that the land levels drop progressively westwards along Dola Avenue.
6. The Dola Avenue dwelling lies immediately beyond No 2's rear boundary and the existing pleasant sense of openness between the two properties is illustrated by the dwellings' relative arrangement and the clear views gained across the appeal site towards No 47. Openness, provided by corner voids

such as this, is a common form of relief and serves a particular design purpose. The proposal, which would involve a two-storey addition at full ridge height, would harm this physical relationship and would introduce what would appear as a cramped form of development. Soft landscaping and screening would not satisfactorily mitigate in this respect.

7. The National Planning Policy Framework (the Framework) emphasises the importance of new development having regard to and responding to local character. In particular, paragraphs 58, 60 and 64 advise on this. The appellant refers to the Framework's advice as to the efficient use of land, but this should be seen in the context of local character and encouraging sustainable development which would be integral thereto. Although reference is made to paragraph 60 indicating that planning decisions should not stifle innovation or initiative it also advises that local distinctiveness should be promoted or reinforced.
8. Following my site visit I observed the nearby property at the corner of Dola Avenue and Church Lane, referred to in the appellant's representations. I have also had regard to the correspondence from 2003, provided by the appellant in respect of No 47 Dola Avenue's footprint changing from that which had been previously approved. However, the representations are not sufficiently compelling to outweigh the harm I have identified would result from the appeal development.
9. I consider the proposal would represent an anomalous and unduly prominent form of development which would be at odds with, and untypical of, local character. Accordingly, I conclude it would be harmful to the character and appearance of the surrounding area, and would be in material conflict with relevant advice within the Framework.
10. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR