



Appeal Decision

Site visit made on 21 November 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 12th December 2017.

Appeal Ref: APP/X2220/W/17/3181372

75 Trinity Place, Deal CT14 9JG

- 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 Wayne Palmer against the decision of Dover District Council.
 - The application Ref DOV/17/00425, dated 7 April 2017, was refused by notice dated 7 June 2017.
 - The development proposed is an attached 3 bedroom 2 storey dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for an attached 3 bedroom 2 storey dwelling at 75 Trinity Place, Deal CT14 9JG in accordance with the terms of the application, Ref DOV/17/00425, dated 7 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 17102-01-B – Proposed site layout; and 17102-02-B – Proposed floor plans and elevations.
 - 3) No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
 - 4) The development hereby permitted shall not be occupied until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include hard landscaping details; and the schedules of species, sizes and proposed numbers and densities for any tree, hedge, and shrub planting. Thereafter, the approved landscaping scheme shall be carried out in accordance with the approved details within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
 - 5) The development hereby permitted shall not be occupied until details for refuse and recycling storage have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the approved refuse and recycling storage facilities have

been made available for use and thereafter those facilities shall be retained and used for no other purpose.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The development would involve the construction of an end of terrace, two storey house, attached to 75 Trinity Place (No 75).
4. No 75 is at the end of a comparatively long terrace of houses and this dwelling has a quite substantial open plan, grassed, side garden. Between No 75's side garden and the back edge of the highway there is an intervening piece of grassed land. No 75 forms part of a quite large residential estate and open plan grassed areas are a characteristic feature of the streetscene.
5. The new house would occupy a quite prominent position, with there being around 0.4 metres between its southern corner and the back edge of the highway¹. However, even though this development would result in the enclosure of the existing side garden to create a self-contained plot there would still, for the most part, be a quite wide strip of grass between the new house and the back edge of the highway. I therefore consider that the new house would not appear unduly prominent, with there being no harmful closure of the space in the streetscene between No 75 and Nos 140 and 142 on the opposite side of the street. The dimensions of the house and its plot would be similar to those of the other nearby houses. I therefore consider that the new house would not appear cramped in the streetscene.
6. I therefore conclude that the development would not harm the character and appearance of the area. No development plan policies relating to the consideration of the character and appearance effects of infill development have been drawn to my attention. It is therefore necessary for me to make an assessment having regard to the policies of the National Planning Policy Framework (the Framework) that address this main issue. In that respect I consider that there would be no conflict with paragraphs 17 (the fourth core planning principle), 58, 60, 61 and 64 of the Framework because the design and scale of the development would be respectful of the character and appearance of its immediate surroundings.
7. Having regard to the modest scale of this proposal and the fact that I have found that it would be acceptable infilling development, I consider the Council's submission that it can demonstrate a five year supply of deliverable housing sites to be of no particular consequence for the determination of this appeal.

Conditions

8. The Council has suggested various conditions and I have considered the need for their imposition, having regard to the provisions of the national policy and guidance.

¹ Based on the dimension quoted by the Council

9. Apart from the standard time limit condition, I find it necessary that the development should be built to accord with the submitted plans for certainty. In order to safeguard the appearance of the area it is necessary for details of the external materials, hard and soft landscaping and refuse storage arrangements to be submitted for the Council's approval. Those details needing to be submitted for approval either no later than the construction works having progressed above ground level or the first occupation of the development, as stated in the relevant conditions.
10. The Council has submitted that the permitted development (PD) rights for extensions, roof additions, porches and outbuildings should be withdrawn. However, as I have found that the new house would be of size and occupy a plot comparable with the other nearby houses, I am not persuaded that is a need to withdraw the previously mentioned PD rights.

Conclusion

11. For the reasons given above the appeal is allowed.

Grahame Gould

INSPECTOR