
Appeal Decision

Site visit made on 5 August 2019

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 23 August 2019

Appeal Ref: APP/Z2260/W/19/3223302

60 Park Avenue, Broadstairs, Kent CT10 2EZ

- 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 Steve Smith against the decision of Thanet District Council.
 - The application Ref F/TH/18/0905, dated 22 June 2018, was refused by notice dated 10 September 2018.
 - The development proposed is the construction of a two bedroom bungalow with a new driveway and access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the character and appearance of the area.

Reasons

3. The appeal site currently forms part of the plot of this detached bungalow. The property sits within an area of generally detached homes set on generous plots. The area is identified by the Council as an Area of High Townscape (AHT), within Policy D7 of the Thanet Local Plan (LP).
4. Policy D7 states that within the AHT the conservation or enhancement of the local character will be the primary aim. It adds that development will only be allowed where the design, scale, separation, materials and landscaping are complimentary to the special character of the area.
5. The existing bungalow is set to one side of its plot and a wall runs from the front elevation of the bungalow across the site, to its side boundary, effectively separating the site frontage from the rear garden. This arrangement gives a sense of spaciousness between the buildings which complements the character of the area. This is reinforced when within the site itself. Although the designs vary, I noted that there are a number of properties within the area which have generous plots and these also complement the local character.
6. The proposal would be formed by the construction of a narrow access to the side of the existing plot, the formation of an entrance through the existing wall and the construction of the new dwelling behind it. The new property would

- extend deep into the garden, considerably beyond the existing and neighbouring property.
7. I accept that much of the built form of the proposal would be obscured by the existing wall on the site. However, I consider that the presence of a separate dwelling would be made obvious by the new drive, the entrance gates and those visible parts of the building. It would also be highly visible from the adjacent garden areas. Its position significantly to the rear of the adjacent properties would make it appear out of place and at odds with the general established character. In my view this would bring about a form of development which would not display the qualities of the area and would provide a new home in a position which does not accord with the identified positive aspects of the area. Whether this should be described as "backland" development or not is debateable but what is important is that I judge the proposal to be at odds with the character of the area. Therefore, I identify conflict with Policies D1 and D7 of the LP.
 8. The appellant indicates that either an extension or an outbuilding could be built in a similar position as the proposal. I have no other information before me which indicates that the appellant would build either of these items and so afford this little weight in determining the appeal. In addition, a new and separate dwelling would have a different character to either matter.
 9. The Council cannot currently demonstrate a suitable supply of housing sites. This indicates that reduced weight is afforded the Council's relevant policies. However, a judgement of the adverse effects of the proposal is still necessary and in my judgement the benefit of providing 1 new home is significantly and demonstrably outweighed by the negative effects on the character and appearance of the area.
 10. The appellant also indicates that the locality is evolving and that the new houses constructed opposite the appeal site mean that the context of the appeal has changed. I have not been made aware of what stood on the land opposite prior to the construction of the new houses and so it is impossible for me to judge how the area has changed as a result. Therefore, this can have little effect on my decision.

Conclusion

11. I have taken account of all other matters raised in the representations. I have concluded that the proposal would cause clear harm to the identified character and appearance of the area. Notwithstanding the absence of a suitable supply of housing sites, I consider that the harm that I have identified is sufficient to significantly and demonstrably outweigh the benefits. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR