



Appeal Decision

Site visit made on 14 October 2019 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2019

Appeal Ref: APP/Z2260/W/19/3230598

28 Coxes Lane, Ramsgate CT12 6SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Burton Group Developments Ltd against the decision of Thanet District Council.
 - The application Ref F/TH/18/1353, dated 1 October 2018, was refused by notice dated 12 December 2018.
 - The development proposed is the erection of a three bedroom single storey domestic dwelling to the rear of 28 Coxes Lane Ramsgate Kent CT12 6SA including access driveway.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. An amended floorplan (Appendix 6 of the appellant's appeal statement titled 'Revised proposed plans') was submitted during the appeal process. It shows proposed bedrooms 2 and 3 being amalgamated in an effort to address concerns relating to outlook and light. Although interested parties have not had the opportunity to comment on it, it would not be prejudicial to their interests for me to accept the plan as it relates to internal alterations. Moreover, the Council has had the opportunity to consider the amended layout and considers it would address their second reason for refusal. I therefore accept the plan and my consideration of the appeal is based on it.

Main Issues

4. Consequently, the remaining main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site accommodates a single detached unoccupied bungalow located on the north side of Coxes Lane and set within a long rectangular plot. The existing dwelling appears to date from the 1960s and is unusually designed with a flat-roof and a distinctive stone-clad front façade and front boundary
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- wall. There is a large dilapidated double garage in the north western corner of the site and other derelict outbuildings about the high boundary walls in the north eastern corner of the site. The site is unkempt and overgrown with vegetation.
6. The site lies within a dense and predominantly residential area characterised by a mix of single storey bungalows and two-storey dwellings. Most of the properties in the vicinity have pitched roofs and front the highway, behind small front gardens and driveways. Most properties in the area also possess modest rear gardens. Although there is some back-land development to the south and east of the site, the area is more strongly characterised by properties fronting the street. This is particularly evident on the northern side of Coxes Lane, to the west of Fairlawn Road which is the immediate setting for the appeal site.
 7. The proposal would result in the erection of a flat-roof bungalow in the northern part of the site, to the rear of the existing dwelling. The demolition of the garage abutting the existing dwelling would allow for the formation of a driveway giving access to the proposed bungalow. The proposal would feature a central court yard area which would be open towards the east, facing the rear of the neighbouring properties on Fairlawn Road. It is a modern design with floor to ceiling glazing, roof lights, and would be externally finished with larch vertical cladding.
 8. Although there are outbuildings currently sited within the appeal site, these are clearly related, and subservient, to the existing dwelling. The proposal would introduce a far bulkier building of a comparable size to the existing dwelling. Although only single storey, its size and position within the existing rear garden would result in the proposed dwelling appearing cramped on its site and incongruous in the context of the other houses nearby which all address the road.
 9. Although the design of the building has replicated the flat roof of the host dwelling, it would appear odd and out of place in its wider context. There is no clear front elevation to the house and the courtyard layout and the use of larch vertical cladding would appear incongruous as most of the properties in the area are brick-built or finished with light render.
 10. Also, the subdivision of the existing dwelling's plot would differ from the current pattern of development along Coxes Lane which is characterised by properties fronting the street with small front gardens and rear gardens. The few examples of back-land development in the area, to the south and east, are not directly comparable to the appeal site by virtue of differences in dwelling sizes, plot sizes and site characteristics. Although the appellant states the proposal would not be prominent, it would still be visible from Coxes Lane, from Fairlawn Road in-between Nos. 3 and 5 and from a number of nearby dwellings.
 11. I acknowledge it is an already developed site. However, although making a more effective use of land is supported by the National Planning Policy Framework (the 'NPPF'), it should not be to the detriment of the character of the area. Likewise, whilst the NPPF supports the development of small sites, this also should not be to the detriment of local character.

12. I therefore find the proposal would harm the established character and appearance of the area. As such the proposed development fails to accord with policy D1 of the local plan and paragraphs 127 and 130 of the NPPF which together seek to ensure development is well designed and respects the character of their surroundings.

Planning balance and Recommendation

13. It is not disputed that the Council cannot demonstrate a 5-year supply of housing and, from the evidence provided the shortfall against the 5-year target is significant, albeit that evidence dates from three years ago. In such circumstances, para 11 d) of the NPPF states that planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits.
14. The proposed dwelling would boost the supply of housing, would provide satisfactory living conditions for the future occupiers, and would have good access to shops, facilities and public transport. I acknowledge the construction of the dwelling would provide employment, albeit minor and short-term, and the new residents would support local shops and services. However, the scale of these benefits, as they would stem from just one new house, would be limited and the adverse impacts resulting from the development will significantly and demonstrably outweigh them.
15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR