
Appeal Decision

Site visit made on 28 January 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2020

Appeal Ref: APP/H2265/W/19/3237144

Park Lodge, Park Road, Addington, West Malling ME19 5BQ

- 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 B Pitt against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/19/01709/FL, dated 18 July 2019, was refused by notice dated 11 September 2019.
 - The development proposed is full planning permission for the erection of 4 No dwellings at Park Lodge, Park Road, Addington. The proposal seeks the demolition of the existing dwelling and garage at Park Lodge and its replacement with a new dwelling, together with an additional 3 No dwellings and associated amenity areas, parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Addington conservation area.

Reasons

3. The appeal site is an extensive two-storey, brick and tile residential property with a garage and gardens. Park Lodge faces onto Park Road behind a gated, landscaped set-back and trees. The existing dwelling, and the front section of the appeal site, is located within the rural settlement of Addington and the Addington Conservation Area. The rear section of the appeal site forms part of the back garden associated with Park Lodge. The back garden is surrounded by high hedges and adjacent mature woodland, some of which is designated Metropolitan Green Belt outside the settlement of Addington.
4. Adjacent the site 'The Chestnuts' is a small residential development set out around a 'hammer-head' as pairs of one and two-storey, semi-detached dwellings. To the other side 'The Lodge' is an older-style, gated bungalow that fronts onto Park Road. The main settlement of Addington is set around 'The Green' and the Angel Inn public house. The dwellings in this specific area, whether detached, semi-detached or terraced, are of 'traditional/rural' style set on relatively spacious plots facing across 'The Green' onto Trottiscliffe Road.

5. Park Lodge would be demolished and replaced by four new dwellings that would be accessed from Park Road along the boundary with 'The Chestnuts'. The proposed built form would not extend outside the settlement boundary. To the rear of the site Plot A would be a two-storey house facing to the front of the site, and Plot B would face towards 'The Chestnuts'. Park Lodge would be replaced in the centre of the scheme by a two-storey dwelling also facing 'The Chestnuts', and Plot C to the front of the development would have its shorter elevation and an entrance facing Park Road.
6. While the main parties agree that there is no particular or established pattern of development within the Addington Conservation Area, the significance of the area is derived from the special character of the dwellings, most of which face directly onto or towards the main highway. Furthermore, most dwellings in the area are either set in substantial gardens or on generous plots surrounded by trees or hedging which helps to provide a verdant and spacious setting. Indeed, the appeal site with its' expansive gardens and surrounding woodland establishes a sense of spaciousness, which together with 'The Chestnuts' and 'The Lodge' form a distinct location within the Conservation Area.
7. I acknowledge that the appellant has made revisions to the original scheme. Nonetheless, the proposal is for a tight cluster of relatively large dwellings, three of which do not face directly onto Park Road. Moreover, despite the large garden spaces associated with Plots A and B, the proposed configuration sits, by necessity, on the forward section of the appeal site behind the confines of the settlement boundary. As such, the positioning and orientation of the buildings, along with their substantial bulk and mass would diminish the spacious appearance of the appeal site and erode a positive characteristic of the Conservation Area.
8. Moreover, the scale and layout of the site would not accord with other small-scale developments or single-dwellings in this part of the Conservation Area, which are generally more 'loose-knit' in appearance. Indeed, the comparatively sizeable dwellings of the proposal would be cramped to the front section of the appeal site as a result of the constraints of the built-up boundary. Furthermore, whilst the area exhibits a variety of development types, there appears to be no established comparable in the immediate or wider surroundings for this scale and layout of development. Therefore, the proposal would be at odds with the prevailing character and appearance of the area
9. Notwithstanding that the proposed gardens would be landscaped and many of the existing trees retained, this would not overcome the harm arising from the proposal that would, as a result of its scale, layout, positioning and orientation, appear incongruous with its surroundings.
10. The above combination of factors would result in an unacceptable degree of harm to the character and appearance of the area. As such, the proposal would fail to preserve or enhance the character and appearance of the Addington Conservation Area. Accordingly, the proposal would result in 'less than substantial harm' to the Conservation Area as a designated heritage asset. It is important to note that 'less than substantial harm' does not equate to a less than substantial planning objection.

11. Paragraph 196 of the National Planning Policy Framework (the Framework) requires that 'less than substantial harm' should be weighed against public benefits of the proposal. The main parties have agreed that the Council does not have an identified 5-year housing land supply. However, while I acknowledge that the proposal would result in some public benefit, i.e. the provision of 3 dwelling houses towards the Council's housing land supply deficit, it does not outweigh the adverse impacts of the proposal that would result in 'less than substantial harm' to the Conservation Area as a whole.
12. Therefore, the proposal is contrary to Policy CP24 of the Tonbridge and Malling Local Development Framework Core Strategy 2007, and Policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 which say, amongst other things, that all development should protect, conserve and where possible enhance the character and local distinctiveness of the area, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings.
13. For similar reasons the proposal is contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, and Paragraphs 127 and 200 of the Framework which aims include that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR