



Appeal Decision

Site visit made on 8 June 2020

by S M Holden BSc MSc CEng MICE CTPP FCIHT MRTPI

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

Decision date: 18 June 2020

Appeal Ref: APP/Z2260/W/20/3245315

3 Airdeale Close, Margate CT9 2SZ

- 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 and Ms O & V Dyer & Field against the decision of Thanet District Council.
 - The application Ref F/TH/19/1401, dated 17 October 2019, was refused by notice dated 3 December 2019.
 - The development proposed is erection of 1 no. two storey – two bedroom house.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and appearance

3. Airdeale Close is a short, T-shaped cul-de-sac serving modest-sized, 2 storey properties which are either pairs of semis or small blocks of 4 purpose-built flats. The buildings are all orientated in the same direction around the street and each has a symmetrical appearance. The spaces between them are an important part of the street scene.
4. No 3 is one half of a pair of semis. Immediately to its right but set further back and at a slightly lower elevation, is the block containing Nos 4-7. Its front elevation is approximately in line with the rear of No 3. The width of No 3's rear garden is a little narrower than the width of its plot at the road frontage. The contribution the gap between these two buildings makes to the existing street scene is reduced by the presence of a tree in No 3's garden.
5. The proposal seeks to construct a new dwelling attached to No 3. Its roof would extend the ridge line so it would be the same height as the existing semi. It would have an L-shaped footprint that would occupy the remaining width of the plot and would have a rear projection beyond the rear elevation of the host property. The scheme would therefore disrupt the symmetrical appearance of the pair of semis, be built right up to the edge of the footway and significantly reduce the gap between No 3 and Nos 4-7. The introduction of built form into an important space in the street scene, combined with the loss of the tree would result in the dwelling appearing cramped on this small plot.

6. However, I am aware that permission for a two-storey side extension at No 3 was granted in 2019, Ref: F/TH/18/1620. This proposal would also erode the symmetry of the existing pair of semis, close much of the gap between No 3 and Nos 4-7, and result in the loss of the tree. Nevertheless, the lower ridge line of the extension would ensure that it would appear subservient to the host property. The addition of a front door to serve the new dwelling would create a different appearance from the extension which would have only windows. Moreover, the new dwelling would function independently of the host property changing the character of the building and introducing a terrace of 3 into the street. In my view these differences make the appeal scheme more harmful to Airdeale Close than the approved extension.
7. I appreciate that the buildings sited around Airdeale Close exhibit minor differences in their appearance. However, at present each block has retained its original symmetry. Their common features, such as scale and use of materials, provide a strong sense of cohesion to the street scene. While some of these would be lost through the construction of the extension to No3, that is not a justification for permitting something I consider would be more harmful to the character and appearance of the cul-de-sac as a whole.
8. My attention has also been drawn to the permission granted for an additional dwelling attached to another at the junction of Victoria Street and Church Road, Ref: F/TH/17/1005. However, from the layout plan provided it appears that the relationship between the proposed dwelling, the street frontages and other nearby development is significantly different from that which pertains at the appeal site. That scheme is therefore not directly comparable with the scheme before me, which I have determined on its individual planning merits.
9. Taking all these factors into consideration I conclude that the proposal would harm the character and appearance of the area, contrary to Policy D1 of the Thanet Local Plan (2006) and Paragraphs 127 and 130 of the National Planning Policy Framework, all of which seek to achieve high quality design which respects its context.

Other Matter

10. The Council also refused the application due to the appeal site's location within the Zone of Influence of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Sandwich Bay and Hacklinge Marches Site of Special Scientific Interest (SSSI). The SPA is a European Designated Site, although no details for the reasons for its designation have been provided with the appeal. Nonetheless, the Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations) requires the Competent Authority to consider whether or not the proposal could adversely affect the integrity of the protected site, either alone or in combination with other plans or projects. This responsibility now falls to me in the context of this appeal.
11. The Council undertook a screening assessment in relation to this site. It considered that the site's proximity to the protected areas means that it is likely they would be subject to additional recreational visits from future occupants of the proposal. Although the extra activities associated with visits from a single dwelling would be likely to be minimal, it found that there would be a significant effect when considered in combination with other residential development in the Zone of Influence. I agree with this assessment.

12. In these circumstances, it would normally be necessary for me to undertake an Appropriate Assessment to establish whether or not the North Kent Strategic Access Management and Monitoring Strategy (SAMB), endorsed by Natural England, would be an effective means of mitigating these likely significant effects. This is because lack of certainty that the integrity of the site would not be adversely affected would, on its own, provide a reason to dismiss the appeal.
13. I note that the appellant has no objection to providing a financial contribution towards the strategy; but no planning obligation to secure any necessary contribution was provided with the appeal. However, as I have found the scheme unacceptable for other reasons, I have not needed to address this matter further.

Conclusion

14. The Government is seeking to significantly boost the supply of housing. There is therefore no objection in principle to a residential development on this site. The provision of one small home would provide limited social and economic benefits.
15. However, I have found that the proposal would harm the character and appearance of the street. In addition, insufficient evidence was presented for me to be certain that the integrity of the SPA would not be adversely affected. Furthermore, no mechanism to secure any mitigation that might be justified was provided with the appeal.
16. I therefore conclude that the proposal conflicts with the development plan. There are no other considerations, including the permission which has been granted for a side extension at the property, which indicate that a decision should be taken other than in accordance with the development plan.
17. For this reason, the appeal is dismissed.

Sheila Holden

INSPECTOR