
Appeal Decision

Site visit made on 30 June 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2020

Appeal Ref: APP/J2210/W/20/3246500

Land adjacent to 1 Rosedene, Ashford Road, Chartham, Kent CT4 7HL

- 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 Anthony Simons against the decision of Canterbury City Council.
 - The application Ref 19/02207, dated 6 November 2019, was refused by notice dated 17 December 2019.
 - The development proposed is 2 no. semi-detached two storey dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the development is taken from the Council's decision notice as this captures more completely the scope of the proposal than the description on the application form.

Main Issues

3. The main issues are (a) whether the proposal would be a sustainable form of development having regard to its location and (b) the effect of the proposal on the character and appearance of the area.

Reasons

Sustainability

4. The appeal site comprises the side garden to 1 Rosedene and is separated from it by a public footpath linking Ashford Road with a pedestrian crossing over a railway line to the rear of the site. The existing dwelling is at the end of a row of 5 dwellings surrounded by commercial buildings including car showrooms, vehicle workshops and a garden centre. Whilst the site is in a built up setting and fronts the busy A.28, it is not within a recognised settlement.
5. For planning policy purposes, the site has a countryside location. Policy SP1 of the Canterbury District Local Plan (2017) (CLP) promotes sustainable development in accordance with the National Planning Policy Framework. As the site does not fall within the hierarchy of settlements set out in Policy SP4, the proposal falls to be considered against Policy HD4, a restrictive policy on new dwellings in the countryside. The proposal would not accord with the exception made for rural workers dwellings and would not qualify for exception (d) for a design of exceptional quality or innovative nature.

6. The site is in a relatively remote location and future occupiers would be heavily reliant on the use of private cars to access everyday goods and services. Parking and turning arrangements have not been detailed within the proposal, and whilst it would be possible to secure these through a planning condition, the proposal would clearly be contrary to the Council's strategy on the location of new dwellings outside of designated settlements. It would thereby conflict with Policies SP1, SP4 and HD4.

Character and appearance

7. There is variety in the size, design and siting of the five dwellings but all face towards Ashford Road. By contrast, the proposed semi-detached houses would face the flank wall to 1 Rosedene with the flank wall to the left-hand unit facing the road. The flank wall would be in a more advanced position than the front walls to any of the other dwellings. It would also be noticeably forward of the commercial building alongside the appeal site.
8. The proposed houses would appear as a conspicuous and incongruous addition to the street scene and would be contrary to Policy DBE3 of the CLP which requires development to have high quality design that respects the character, setting and context of the site and the way it is integrated into the landscape.
9. The appellant points out that the commercial building has its axis at right angles to Ashford Road as would the proposed semi-detached houses. But this is a much bigger building on a deeper site and makes sense in the wider context of that site including its access arrangements. The appellant also explains that the proposed orientation of the dwellings is to safeguard privacy for future occupiers in relation to people using the footpath to the side of 1 Rosedene. However, it would have been possible to design front facing dwellings and include features such as fencing to safeguard privacy. This does not provide justification for the dwellings' orientation.

Conclusion

10. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Rory MacLeod

INSPECTOR