
Appeal Decision

Site visit made on 25 August 2020

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 7 September 2020

Appeal Ref: APP/E2205/W/20/3248689

The Pines, Smallhythe Road, Tenterden TN30 7LN

- 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 Canham Homes against the decision of Ashford Borough Council.
 - The application Ref 19/00724/AS, dated 17 May 2019, was refused by the Council by notice dated 4 October 2019.
 - The development proposed is demolition of existing buildings, and erection of four residential dwellings, together with associated access, parking, landscaping and drainage.
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Decision

1. I dismiss the appeal.

Main Issues

2. These are;
 - The effect of the development on the character and appearance of the Smallhythe Road area of Tenterden.
 - Whether the site should be developed as proposed ahead of the rest of the Phase B site.

Reasons

3. The appeal site is part of an allocated Phase B site as set out in Policy S24 of the Ashford Local Plan 2030, having an indicative capacity of 225 dwellings, and adjoins the Phase A site which was built and occupied by the time of the appeal site inspection. Whilst the total Phase B site extends over farmland to the south-east of the boundary to Phase A, The Pines is a tapering area of land running away from Smallhythe Road and narrowing to the north-east, immediately adjoining Phase A and occupying only a relatively small area of the total allocated land.

Character and Appearance

4. Local Plan Policy SP1 sets out the strategic objectives to focus development on accessible and sustainable locations, and to create the highest quality design among other things and to this end Policy SP6 lists 9 design criteria. The conservation and enhancement of heritage assets is the subject of Policy ENV13 and the Officer's assessment includes concern over the effect on the setting of the Tenterden Conservation Area and the High Weald Area of Outstanding Natural Beauty, which includes land on the far side of Smallhythe

- Road. Policy S24 states that acceptable forms of development for the Phase B site shall achieve matters set out in a list a) to g).
5. Paragraph 124 of the 2019 National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Areas of Outstanding Natural Beauty are referred to in chapter 15 and designated heritage assets in chapter 16.
 6. The Phase A development comprises the single Three Fields Road entry off Smallhythe Road, with frontage development on the main road of a short terrace of 2-storey houses to the north and the side hip-end of a single 2-storey house to the south, its entry being on the side road. These 2 blocks are located close to the highway of Three Fields Road and serve to reduce the impression of entering a large development while maintaining a strong presence on the main road. The side boundary wall to the single house reinforces this appearance. The view down the side road is terminated by a group of taller dwellings arranged around the rear of a green area, and this together with the studied informality of the layout and house designs, further reduces the appearance of a large homogeneous development.
 7. The proposed development would have an entry onto the main road behind the garden of the single house fronting Three Fields Road, so that the hard edge provided by the brick boundary wall would be eroded by the wide bellmouth of the proposed entry. This proximity of the entry would introduce a gap that would disrupt the frontage continuity that the entry in Phase A has been careful to introduce through its visually confined width. The view down this gap would not be stopped-off in the way found to be so attractive along the neighbouring road and would appear poorly defined.
 8. The Council refer to the rear block on Plots 3 and 4 as back-land development and this would be visible in part through the wide entry. The relationship would not be the careful vista and placing of dwellings seen in Phase A, but a poorly related second block and area of hardstanding, lacking the townscape qualities of the previous scheme.
 9. Turning to the design of the buildings, the frontage block on Plots 1 and 2 would make use of tile hanging and a half-hip roof with flat roofed dormers to give a 2-storey semi-detached pair with rooms in the roof. Whilst this latter feature is in place deeper into the Phase A site, the design would be at odds with that on the frontage either side of the entry road. The more vernacular treatment of the roof form would not sit well with the earlier phase and is not a feature seen extensively nearer the High Street. Whilst tile-hanging as a vernacular feature has been used in the 3-dwelling terrace, this would not reduce the appearance of height and bulk on the appeal proposal.
 10. The rear block on Plots 3 and 4 would have a high pyramid-style pitched roof and rooms partly within the roof, as well as tile hanging, but the front elevation of low eaves and symmetrical dormers would appear fussy and lacking the care put into the use of materials in Phase A. The relatively plain side elevations of both blocks would lack the interest and attention to detail applied previously.
 11. The proposal would harm the character and appearance of this entry to the town and would not sit comfortably with the recent development adjoining

Three Fields Road, and would cause harm to the setting of the conservation area and views into and out of that designated heritage asset.

12. Major change is however planned and the effect on the conservation area would have been taken into account when allocating the land and will be again in designing the larger scheme. The harm through this development alone would be limited, particularly having mind to the existence of The Pines at present, and the 'less than substantial' harm would be outweighed by the public benefits of housing being provided soon.
13. To conclude, whilst the further development of Phase B land would place the site less firmly at the entry to the town, the shortcomings of the scheme would remain. The proposal would not satisfy criteria a) and h) of Policy SP6 on character, distinctiveness and sense of place, and the scheme is lacking in richness of detail. With regard to Policy S24, the design shortcomings risk failing to conserve the Area of Outstanding Natural Beauty contrary to criterion F). The proposal is not of the standard of design sought in the Framework.

Relationship to Phase B proposals

14. The strategic approach to housing is stated in Policy SP2 including development in the rural areas, outside the Ashford development area. Policy S24 refers to the need for the high-quality routes through Phase A to be available prior to occupation of any of the Phase B dwellings, and a Master Plan or Development Brief is to be submitted to and approved by the Council.
15. The Officer's Report states under the heading 'principle' that the bringing forward of the site in advance of the Master Plan for the wider site should not preclude consideration of the proposal. The Reason for Refusal concludes at c) that in view of the shortcomings identified at a) and b) and which have been considered in the first main issue to this Decision, the proposal should not be brought forward in isolation from the rest of the Phase B site as set out in Policy S24.
16. Whilst a long tapering site, the proposal does not jeopardise Policy S24 criteria a) on natural features and b) on pedestrian and cycle routes, as it backs onto Phase A gardens; those routes likely to be further east, nor the view of St Mildred's church as criterion c). No off-site highways works are required for this but any found necessary for the remaining Phase B could still be secured under criterion d) and the same applies to criterion e) on public open space, there being sufficient land remaining. Whilst the appeal scheme has been found to harm the Area of Outstanding Natural Beauty contrary to criterion f), the rest of the site could still meet that requirement. The provision of drainage connections would not be affected such that criterion g) can still be met.
17. Therefore, as only a small part of the larger site, the aims of the Policy can still be met, but the interposing of the appeal development would undermine the design quality of the 2 phases together and the non-inclusion of the appeal site as part of a Master Plan would be a lost opportunity that would be evident as poor quality design in a prominent location. In conclusion on this main issue, whilst most of the aims stated in Policy S24 would not be jeopardised, the early and separate development of the appeal site in the way proposed would risk undermining the quality of the planned southern extension of Tenterden.

Conclusions

18. Whilst the planned expansion of Tenterden would not be jeopardised by the early development of this part of Phase B, the poor quality of the building design and layout would cause harm to the street scene and the wider character and appearance of the area, and would not sit well alongside the established appearance of Phase A, and risks appearing out of place between that earlier development and Phase B. The early supply of housing in an accessible location does not outweigh the harm, and hence the proposal would be contrary to Development Plan and national policies which seek good design. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR