



Appeal Decision

Site visit made on 22 September 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/Z2260/W/19/3239760

2 Willow Avenue, Broadstairs CT10 2LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Mayhew (Maybank Homes) against the decision of Thanet District Council.
 - The application Ref F/TH/19/1083, dated 5 August 2019, was refused by notice dated 1 October 2019.
 - The development proposed is erection of new dwelling at 2 Willow Avenue, Broadstairs.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site forms a prominent corner plot at the junction between Willow Avenue and Rumfields Road. It lies within an established residential area primarily characterised by semi-detached properties of a similar size and appearance, which are generally set back from the road frontage and follow a consistent front building line. The dwellings are set within plots of a similar size, although corner plots such as the appeal site are typically larger, thus reflecting their sensitive position. These elements create a regular and coherent street scene, which gives the area a pleasant suburban feel.
4. The design of the appeal scheme seeks to replicate features of the existing pair of semi-detached properties, and the width of the new house would appear largely in line with the single storey structures facing onto Rumfields Road. However, it would clearly protrude beyond the building line which is established by the two-storey dwellings fronting the north-western side of this road. The footprint of the proposed dwelling, together with its overall scale and bulk, would introduce a built form which would appear unduly prominent within the area. Moreover, it would harmfully erode the spaciousness of the appeal site and its contribution to the street scene.
5. The harm caused by the proposal would be exacerbated by the formal subdivision of the existing site into two separate plots, which would be visible within the public realm, notably by reason of the creation of separate entrances and paraphernalia associated with the creation of an additional dwelling. The appeal scheme would result in the formation of a terrace, which would appear

uncharacteristic in an area where semi-detached properties prevail. For these reasons, and also due to the fact that no 2 Willow Avenue would sit within a noticeably narrower plot, the appeal proposal would introduce a cramped and contrived built form to the street scene, which would appear discordant with the prevailing pattern of development in the locality.

6. I have had regard to the additions¹ which have previously been granted by the Council on the appeal site, although these approvals are no longer extant and are not therefore capable of being implemented. Limited information has been provided in respect of these particular schemes, but the plans which are before me suggest that the footprint of the various additions would appear smaller than the current proposal, and subservient to the host dwelling. Having regard to the available evidence, I am not therefore certain that these approvals represent a direct parallel to the appeal before me, all the more so because they constitute different types of development.
7. It is also of note that the existing garage on the appeal site protrudes beyond the building line along Rumfields Road, although this is a single structure, which retains some degree of subservience to the main property and is therefore of limited relevance to the appeal proposal. Furthermore, my attention has been drawn to the extensions at nos 7 and 12 Willow Avenue, which breach the established building line along Chestnut Drive. Notwithstanding this, I do not have the full details of the circumstances that led to these proposals being accepted, and cannot therefore be certain that they are comparable to the appeal before me, particularly as they relate to householder extensions rather than new dwellings. In any event, these examples do not outweigh my concerns regarding the proposed development.
8. For the foregoing reasons, the proposal would unacceptably harm the character and appearance of the area, and would therefore conflict with Policy D1 of the Thanet Local Plan 2006 which only permits developments proposals that respect or enhance the character or appearance of the surrounding area. It would also fail to accord with paragraphs 127 and 130 of the National Planning Policy Framework (the Framework) which notably require new development to function well and add to the overall quality of the area, and be sympathetic to local character and history.

Other Matters

9. The appeal site lies within proximity to the Thanet Coast and Sandwich Bay Special Protection Area (SPA), the Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI) and RAMSAR. The Council and Natural England consider that the proposal would have a likely significant effect on the integrity of these sensitive areas (either individually or in combination with other plans or projects), notably by reason of the additional recreational pressures generated by residential development, unless suitable mitigation is provided. As this appeal is being dismissed on other substantive grounds, this is however not a matter which needs to be considered further here.

Planning Balance

10. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, although I have been provided with little information regarding

¹ Local Planning Authority References F/TH/12/0242, F/TH/12/0930 and F/TH/14/0613.

the extent of the shortfall. Notwithstanding this, paragraph 11 d) of the Framework, as directed by Footnote 7, indicates that in such circumstances, the policies which are most important for determining the application are considered out-of-date. Planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11. The appeal development would be located in an accessible location and would deliver some benefits to the local economy, notably during the construction phase, but also through the use of local services and facilities. However, although smaller developments have a cumulative value, the contribution made by a single dwelling would be relatively limited. Moreover, I have found that the proposal would have a detrimental effect on the character and appearance of the area, and would therefore not constitute good design.
12. The degree of harm which I have identified is such that the proposal would conflict with the development plan taken as a whole. The adverse impacts of the appeal scheme would significantly and demonstrably outweigh the modest benefits which would be derived from it, when assessed against the policies of the Framework as a whole.

Conclusion

13. For the reasons detailed above, and having regard to all other matters raised, the appeal fails.

S Edwards

INSPECTOR