



Appeal Decision

Site visit made on 19 October 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2020

Appeal Ref: APP/A2280/W/19/3236404

Coronation Bungalow, Cooling Street, Cliffe, Rochester ME3 7UB

- 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 Terry Foreman against the decision of The Medway Council.
 - The application Ref MC/18/3461, dated 30 November 2018, was refused by notice dated 26 March 2019.
 - The development proposed is demolition of 2 existing dwellings and erection of 4 new dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development proposed on the character and appearance of the site and surrounding area; and,
 - Whether the appeal site is located in a sustainable location, having regard to access to services and facilities.

Reasons

Character and Appearance

3. The appeal site is part of a linear settlement aligned along Cooling Street. Houses in the settlement comprise a mixture of bungalows and two-storey dwellings. Houses in the immediate vicinity of the site are generally of simple character and form although there are larger houses at either end of the settlement. The neighbouring property to one side of the site is a bungalow, the neighbouring property to the other side is a two-storey house.
4. The existing pair of semi-detached bungalows would be replaced by two pairs of semi-detached houses. The first floor rooms within the new houses would be accommodated within the roof, with dormers to the front and rear. This would be a similar arrangement to the existing bungalows, which have a large box dormer across much of the rear roof slope, and smaller dormers to the front.
5. The proposed dwellings would be the tallest buildings in the immediate vicinity, with ridgelines above that of the neighbouring two-storey house. They would be prominent features in the street scene, although largely screened in some longer views as the neighbouring two-storey property is deeper than the proposed houses.

6. The roofs to the proposed houses would be part gabled, part hipped. The hipped elements would be modest and do little to reduce the overall mass of the roofs. The two pairs of houses would occupy a greater proportion of the width of the plot than the existing bungalows and appear much taller, with large and bulky roofs. The roofs would appear out of keeping in the street scene, where shallow and simpler roof forms are more common. The houses would appear cramped on the plot with limited separation between the two pairs.
7. The development proposed would also require the subdivision and significant reduction in length of the rear gardens to the cottages to accommodate car parking at the rear of the site. The resulting gardens would be uncharacteristically shallow in this location, and visible from neighbouring properties. While the gardens would comply with the Council's standards for outdoor amenity space, they would be significantly smaller both in depth and width than neighbouring gardens. They would contribute to the cramped appearance overall of the appeal proposal.
8. The development proposed would therefore appear out of keeping within the street scene, and harmful to the character and appearance of the area. It would therefore conflict with Policy BNE1 of the Medway Local Plan 2003 (the LP), which includes requirements that new development be satisfactory in terms of scale, mass, proportion and layout.

Location

9. The settlement predominantly comprises houses with no shops or facilities to cater to the day-to-day needs of residents. The nearest settlements offering services are Cliffe and Cliffe Wood, with larger settlements further afield.
10. The shortest routes to both Cliffe and Cliffe Wood are via footpaths. These footpaths are unsurfaced and uneven, and the footpath to Cliffe Wood is narrow and crosses a field. They would be unattractive for potential users, particularly in poor weather when they would become muddy underfoot or for those with limited mobility such as the elderly or very young children. The local roads are narrow, unlit and largely without pavements, and while there are settlements within cycling distance, conflict with cars and larger vehicles would be likely to make cycling unattractive as a primary or regular form of transport.
11. The closest service is the primary school in Cliffe, just under a mile from the appeal site. All other services and facilities in the two settlements are more than a mile from the site, and at least 25 minutes' walk each way. The nearest bus stop is 15 minutes' walk from the site.
12. The National Planning Policy Framework (the Framework) recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, the Framework encourages the siting of development in locations that limit the need to travel, and which offer a genuine choice of transport modes.
13. Given the distances involved, future occupiers would be likely to be dependent on private cars for travel to and from these services. While there are two existing houses on site, and the site is not isolated, the development proposed would be likely to result in an increase in car movements. The appeal site is therefore not in a sustainable location, contrary to Policy BNE25 which requires, amongst other criteria, that development in the countryside offer a realistic chance of access by a range of transport modes.

Other Matters

14. The appeal site is within 6 kilometres of the North Kent Marshes Special Protection Area and Ramsar Site. The appellant has committed to providing a financial contribution to fund appropriate mitigation for the effects of the appeal proposal. Had I been minded to allow this appeal it would have been necessary to carry out an appropriate assessment to determine whether this would be sufficient. However, as I am dismissing the appeal for other reasons, it is not necessary to consider the matter further.

Planning Balance

15. The Council has confirmed that it cannot demonstrate a five year supply of housing land. As the development proposed would create new housing, the presumption in favour of sustainable development as set out in Paragraph 11 d) of the Framework is engaged.
16. The most important policies for the determination of this appeal are BNE1 and BNE25 of the LP. These policies seek, amongst other things, to ensure that development is satisfactory in terms of scale, mass, proportion and layout, and that development in the countryside offer a realistic chance of access by a range of transport modes. These principles are fundamental to achieving sustainable development and are consistent with the Framework, and therefore these policies are not out-of-date.
17. There would be harm from the scale of development resulting in an uncharacteristically cramped and bulky appearance in the street scene. In addition, the appeal site is not located in a sustainable location, and occupiers of the proposed houses would be dependent on private cars for access to day-to-day services and facilities. Given the harm resulting from the appeal proposal, the conflict with policies BNE1 and BNE25 attracts substantial weight.
18. Set against this, the development would deliver two additional units of housing. The Council cannot demonstrate a five year supply of housing land, and as of the 2019 Housing Delivery Test had only delivered 46% of its target number of dwellings in the preceding 3 years. There is therefore a significant need for new housing in the area, and additional residents would contribute to the vitality of the community and the local economy, with construction providing short-term employment. However, the contribution of two new houses would be relatively modest.
19. The appellant suggests that the development would deliver enhanced landscaping and biodiversity habitat, but details of this are not provided. Given that the rear gardens to the proposed houses would be reduced in depth from the existing, this is a neutral consideration in the determination of this appeal.
20. In this instance the adverse impacts of granting planning permission for the development proposed would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Conclusion

21. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR