



Appeal Decision

Site visit made on 2 February 2021

by M Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th February 2021

Appeal Ref: APP/J2210/W/20/3253145

10 Clover Rise, Whitstable CT5 3HA

- 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 Denis Cutts against the decision of Canterbury City Council.
 - The application Ref CA/20/00337, dated 4 February 2020, was refused by notice dated 24 March 2020.
 - The development proposed is described as 'Proposed 2bed Bungalow to the rear of 10 Clover Rise'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The evidence indicates that the appeal site is within the zones of influence of the Thames Estuary and Marshes, Medway Estuary and Marshes, The Swale and Thanet Coast and Sandwich Bay Special Protection Areas and Ramsar sites (Habitats Sites). A Unilateral Undertaking dated 16 November 2020 seeks to mitigate the adverse effects of the development on the Habitats Sites.

Main Issue

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

Reasons

4. The site includes part of the rear garden of 10 Clover Rise. The property features a large detached 2 storey dwellinghouse with a single storey projection to its rear. The dwelling frames one side of the entrance to the cul-de-sac named Enticott Close. A chalet bungalow at 8 Clover Rise frames the other side of the cul-de-sac's entrance.
5. Clover Rise is characterised by residential properties of varying designs. Conversely, the cul-de-sac features consistently designed bungalows that have a cohesive appearance despite differing in external surfacing materials. Although the bungalows are set back within their plots to varying extents and one is at a lower level than the street, none appear close to the highway. The lengths of the rear gardens at Nos 8 and 10 Clover Rise and the gardens adjacent to them provide separation between those dwellings and the bungalows in Enticott Close. The degree of separation and the size and position of the bungalows provide the cul-de-sac with a spacious character.

6. The proposed bungalow would be similar in scale, massing and form to the bungalows in the cul-de-sac. In addition, the development would have an open front and be similar in plot width to the other properties. However, the proposed bungalow would appear cramped as a result of its proximity with the highway and the dwelling at No 10, especially the rear projecting element. Its position would contrast poorly with the positions of the other bungalows due to its proximity with the highway and the rear garden of No 10 would appear shallow. The sense of separation between the properties in Clover Rise and Enticott Close would be eroded and the spacious character of the cul-de-sac would be undermined.
7. Although the proposed bungalow would have a contemporary design, it would incorporate features and materials which are reflective of the characteristics of the existing bungalows. In addition, the proposed bungalow's stepped front elevation would reflect the monopitched roof over an existing projection to the side of No 10. Its contemporary design would thus be compatible with the existing properties. However, its stepped front elevation would nevertheless be a prominent feature located tight to a curve in the highway. This would intensify the bungalow's cramped appearance.
8. Whilst the proposal would provide an active street frontage and the fencing that encloses the front of the site would be removed, the fencing is an established part of the cul-de-sac and is similar in extent to that which encloses the side boundary of No 8. I note that paragraph 130 of the National Planning Policy Framework (the Framework) explains that opportunities should be taken for improving the quality of an area. However, the removal of the fencing would not result in a significant positive impact to the streetscene or overcome the harm identified. The appellant contends that there is limited natural surveillance within the cul-de-sac due to the extent of fencing. However, the bungalows at the end of the cul-de-sac, a dormer window to the side of No 8 and first floor windows to the rear of No 10 provide surveillance.
9. I have been provided with the details of a scheme¹ which has been granted approval at No 10 for its conversion into 2 dwellings and associated works. My findings would persist irrespective of whether that development is implemented.
10. The proposed development would harm the character and appearance of the area. It conflicts with Policy DBE3 of the Canterbury District Local Plan, which seeks to ensure that development positively contributes to its local context. It also conflicts with paragraph 127 of the Framework, which seeks to ensure that development is sympathetic of local character.

Other Matters

11. The appellant contends that several recent proposals for infill development in the area have been approved. I have not been provided with details regarding those schemes; however, the circumstances of a scheme in one location are unlikely to be directly comparable with a scheme located elsewhere. It is also put forward that the site would make efficient use of land. However, I do not consider this to be the case given the harm that would arise from the development.

¹ Council reference: CA//18/00312

12. The proposal would contribute to housing supply in the area. In addition, I have no compelling reasons to disagree with the appellant's contentions that the site is located near to services, facilities and sustainable transport options, or that the proposal would include sufficient outdoor amenity space, high quality landscaping and energy efficiency measures. I also note that the appellant considers that the bungalow would be suitable for their future needs and that the proposal would enable No 10 to be converted so other people could own homes. However, these matters do not outweigh the harm identified.
13. If I were minded to grant permission, I would need to be satisfied that the proposal would not adversely affect the integrity of the Habitats Sites. In doing so, I would need to consider whether the UU would secure necessary mitigation of any specific effects. However, as I am dismissing the appeal for other reasons, I do not need to reach a finding on this matter.

Conclusion

14. For the above reasons, the appeal is dismissed.

Mark Philpott

INSPECTOR