



Appeal Decision

Site visit made on 16 November 2021

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2021

Appeal Ref: APP/Z2260/D/21/3277769

19 Irvine Drive, Margate CT9 3XA

- 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 D Wiltshire against the decision of Thanet District Council.
 - The application Ref FH/TH/21/0161 dated 5 February 2021, was refused by notice dated 28 April 2021.
 - The development proposed is a double storey side extension complete with low-level pitched roof and changes to external finishes.
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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.

Preliminary Matter

3. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. There are no substantive changes relevant to the appeal before me and therefore no interested parties would be prejudiced by my consideration of the 2021 version of the Framework.

Reasons

4. The area is characterised by residential development of a mix of property types and designs, but with generally consistent building lines and regular gaps between the groups of properties. The eastern side of Irvine Drive includes a small number of footpaths between the properties which provide pedestrian links and visibility through to Friends Avenue.
5. The open areas around the entrances to these footpaths on Irvine Drive and Friends Avenue contribute to the legibility of the streetscape and the gaps created by these pathways contribute positively to the character and appearance of the area.
6. The appeal site adjoins the path of Sarah Gardens to the north. The properties on Sarah Gardens are set back from the edge of the footpath and have low level boundary treatments around their front gardens, creating an open character. Despite the fencing around the northern side of the appeal site, an open vista remains from Irvine Drive to the houses beyond.

7. The proposed two storey side extension, by reason of its scale, proximity to the edge of the footpath and its projection forward of the building line on Sarah Gardens, would cause a significant reduction in the gap which exists. Despite the use of sympathetic design including a set back and lowered ridgeline, the bulk of the proposal would obstruct the open views along the pathway and appear as a visually intrusive form of development which is at odds with the character and appearance of the area. The harm arising to the character and appearance of the area would be significant.
8. I have considered the examples of other development put forward by the appellant, of which the most relevant is opposite the appeal site. However, this has a materially different relationship to the properties and streetscape behind in Irvine Mews. I am not aware of the particular circumstances of the other examples put forward and I understand them to be some distance away from the appeal site. Therefore, given the site specific characteristics of the proposal before me, I do not consider them to be direct comparators and I afford them little weight.
9. I have also noted the appellant's comments that the proposals would provide good use of the land and garden area. This is noted, however this benefit would not outweigh the harm identified to the character and appearance of the area.
10. For the reasons described above I find the development to be contrary to policy QD02 of the Thanet District Local Plan 2020, which in summary aims for all new development to promote or reinforce the local character of the area and provide high quality and inclusive design. For these reasons the development would also be contrary to the Framework.
11. The development would be contrary to the development plan as a whole. This conflict is not outweighed by other material considerations in this instance.

Conclusion

12. For the reasons given above the appeal is dismissed.

C Shearing

INSPECTOR