
Appeal Decision

Site visit made on 1 February 2022

by D M Young JP BSc (Hons) MPlan MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 1st March 2022

Appeal Ref: APP/J2210/D/21/3289498

37 Marine Parade, Tankerton, Kent CT5 2BE

- 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 Mrs Judith Taylor against the decision of Canterbury City Council.
 - The application Ref CA/21/00809, dated 24 March 2021, was refused by notice dated 7 October 2021.
 - The development proposed is the erection of two storey outbuilding with studio office at first floor, following demolition of summer house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two storey outbuilding with studio office at first floor, following demolition of summer house at 37 Marine Parade, Tankerton, Kent CT5 2BE in accordance with the terms of the application, Ref CA/21/00809, dated 24 March 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling house known as 37 Marine Parade.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area including the setting of the Tankerton Conservation Area (TCA).

Reasons

3. As the Officer's Report notes, Marine Parade contains an eclectic mix of properties which are set back generously from the roadside. The appeal site is an unusually narrow with the host dwelling recessed towards the back of the plot and barely visible from Marine Parade.
4. The proposed two storey outbuilding would replace an existing single storey timber building towards the front of the plot. It would largely respect the building line along this part of Marine Parade albeit recessed slightly from the front of No 35. Accordingly, there would be little effect on outward views from the TCA to the west.

5. Given the additional height, there can be little doubt that the new building would be more conspicuous than its predecessor as it would effectively infill the anomalous gap between Nos 35 and 38. However, that in itself is not a reason to reject the proposal out of hand especially given the area's varied character.
6. The existing timber building, while something of a novelty, does not in my view add anything significant to the street scene. Due to the physical dimensions of the plot, the proposed outbuilding would be appreciably smaller than the traditionally scaled properties on either side. On account of this juxtaposition, the Council argue that the building would '*appear discordant within the street scene*'.
7. While I accept the dimensions of the building, particularly its width, would be markedly different to anything else in the Marine Parade street scene, I disagree that it would be poorly designed. The vertical emphasis of the building clearly responds to the particular constraints of this unusual site. The plans show a well-meaning building which incorporates a number of traditional features such as a front gable, red plain tiles, a balcony and timber cladding. The height of the windows at first floor level would also match neighbouring properties. The result would be an attractive, if not, quirky building which would add a new and distinct element to the street scene.
8. Overall, there would be some change to the character and appearance of the area, however, for the reasons given above, I find that that change would be beneficial to the character and appearance of the area. There would be a neutral effect on the setting of the TCA. The development thereby accords with Policies DBE3 and DBE6 of the Canterbury District Local Plan 2017 and section 12 of the National Planning Policy Framework. Amongst other things, these promote high quality design that contributes positively to local distinctiveness and is sympathetic to its setting in terms of scale, height, density, layout, appearance and materials.

Conclusion

9. In addition to a standard time limit condition, I have imposed a condition tying the use of the outbuilding to No 37 to ensure it does not add to already high levels of on-street parking in the immediate area.
10. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector