



Appeal Decision

Site visit made on 28 February 2022

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2022

Appeal A Ref: APP/J2210/W/20/3265355

155 Ashford Road, Thanington Without CT1 3XR

- 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 S Thompson against the decision of Canterbury City Council.
 - The application Ref CA/20/00934, dated 24 April 2020, was refused by notice dated 10 July 2020.
 - The development proposed is for the erection of five dwellings in two blocks following demolition of existing bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have also dealt with another appeal Ref APP/J2210/W/20/3265356 on this site. That appeal is the subject of a separate decision.
3. The Government published a revised *National Planning Policy Framework* (the Framework) in July 2021. All references to the Framework in this decision relate to the updated document.
4. The Procedural Guide – Planning appeals -England (2019) and the national *Planning Practice Guidance* advises that the appeal process should not be used to evolve a scheme. However, when the appeal was made, the appellant requested that I make my decision on the basis of a number of revised plans. Nonetheless, I cannot be certain if interested parties other than the Council have been consulted in this respect. Therefore, I have considered the proposal with reference to the plans upon which the Council made its timely decision.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the area,
 - the living conditions of the neighbouring occupiers, and;
 - highway safety.

Reasons

Character and appearance

6. The appeal site is located adjacent to Ashford Road (the A28). The surrounding area is typified by brick and tile dwellings facing the highway, including 155 Ashford Road which is a chalet-type bungalow that has a lawned garden and parking area to the front. The residential dwellings along this section of the A28 are further characterised by traditional style elevations and frontages with predominantly landscaped gardens to the rear.
7. The proposal is to demolish the existing bungalow and to construct five new dwellings. There would be a terrace of three dwellings to the front of the appeal site and a pair of semi-detached chalet type bungalows to the rear. The bungalows would be accessed through a carriage arch in the front terrace. Ten parking spaces would be provided for the proposed development.
8. The appellant has brought to my attention a number of schemes in support of her case¹. However, I have limited details of those schemes before me and cannot be certain if they were permitted under the same development plan as the proposal or not. Therefore, I have considered the proposed development on its own planning merits.
9. The proposal is located in an established residential area. Therefore, the principle of development is accepted. However, whether the proposed bungalows could be glimpsed from the highway or not, the host garden provides for a sense of spaciousness in the surrounding built environment. Whereas, notwithstanding that there are some 'back-land' type developments nearby, the proposal would be of some scale and mass that would spread across a good proportion of the host site and include parking spaces. As such, due to the numerous dwellings proposed and the extensive hard standings to the rear, the development would appear as cramped within the relatively confined plot.
10. Furthermore, even if carriage archways can be found as a design feature in the wider area, there are no obvious examples in this very specific location. For this reason, the proposed carriage archway would be incongruous with the immediate surrounding area that is typified by more traditional style frontages. Moreover, the hard surfaces of the six parking spaces to the front of the proposal on this side of the A28 would be a harsh and prominent addition to the appeal site which is currently softened to the front by a grassed area. Additional landscaping would not provide adequate mitigation.
11. I conclude therefore, that the scale, mass and design features of the proposal would be at odds with the surrounding built environment. As such, the proposed development would harm the character and appearance of the area.
12. It follows then in respect of the character and appearance of the area, that the proposal is contrary to Policy DBE3 of the Canterbury City Council, Canterbury District Local Plan 2017 (CDLP), which says, amongst other things, that the distinctive character, diversity and quality of the Canterbury District will be promoted, protected and enhanced through high quality, sustainable inclusive design.

¹ CA/17/02892, CA/14/01125, CA/09/01882, CA/06/00617 and CA/06/0136

13. For similar reasons, the proposal does not meet the aims of Paragraph 130 (c) of the Framework which says, amongst other things, that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting.

Living conditions

14. The proposed development would include dwellings in the rear garden of the host dwelling where currently there is none. Indeed, while the proximity of dwellings is not unexpected in this established residential area, the fact remains that the immediate outlook from the neighbouring dwelling at No 5 Pippins Place would be onto the relatively high elevations and ridges of the proposed bungalows. Consequently, the immediacy and scale of the new development would create a sense of overbearing on the occupiers of No 5, particularly when sitting out or undertaking leisure activities in the adjoining garden space. I conclude therefore, that the proposal would harm the living conditions of the occupiers of No 5.
15. Consequently, the proposal in respect of the living conditions of neighbouring occupiers does not meet the requirements of DBE3 of the CDLP, and Paragraph 130 (f) of the Framework which requires that planning should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Highway safety

16. Whether the appeal site is in an urban or suburban area or not, I noticed at my site visit that the well-used A28 is mostly devoid of parking opportunities. Indeed, in the absence of any obvious public parking spaces in the nearby area, and as a result of the limited number of spaces on site, that in any event would be given over to the new occupiers, it is very likely that service type or other visiting vehicles would be tempted to park along the footway lining the A28. As such, the detrimental effect on highway safety, as a consequence of the proposal, would be marked.
17. Therefore, in the planning balance, I conclude that the proposal is contrary to Policy T9 of the CDLP, which says that the City Council will have regard to the local parking standards, and the Framework when read as a whole.

Other Matters

18. I acknowledge that the proposal would exceed the Government's nationally described space standards. However, this does not outweigh the harm I have found above.

Conclusions

19. For the reasons given above, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR