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# Appeal Decision

Site visit made on 22 March 2022

**by C Shearing BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 3 May 2022**

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**Appeal Ref: APP/J2210/W/21/3277710**

**88 Rough Common Road, Rough Common, Kent CT2 9DE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Matthew Woolley against Canterbury City Council.
  - The application Ref CA/21/00490, is dated 26 February 2021.
  - The development proposed is change of use of the estate agency office space on the ground floor to additional living space for the existing residential flat above.
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## Decision

1. The appeal is allowed and planning permission is granted for change of use of the estate agency office space on the ground floor to additional living space for the existing residential flat above at 88 Rough Common Road, Rough Common, Kent CT2 9DE in accordance with the terms of the application, Ref CA/21/00490, dated 26 February 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and the unnumbered drawing entitled 'Existing and Proposed Floor Plans'.

## Preliminary Matters

2. 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.

## Main Issue

3. The main issue is the effect of the development proposed on the facilities available within the village.

## Reasons

4. The appeal site is located centrally within the village of Rough Common, which follows a predominantly linear arrangement around Rough Common Road. There is a convenience shop located opposite the appeal site, however this was closed at the time of my site visit. While there are community uses including a village hall and pre-school, I found that there are very few shops and services available to serve the local community within the village.

5. Despite this, the previous use of the ground floor of the appeal site was an office for property lets. Therefore, the site did not provide a facility which either directly supports local need or which provides for the day-to-day convenience of the local community.
6. From my site visit the premises appeared to have been vacant for some time and this is supported by the information provided by the appellant. The premises has been marketed for commercial uses since 2017 and there has been no significant interest in its uptake. With these factors in mind, I am therefore satisfied that there is no continuing demand for the existing use. Furthermore, given the existence of the shop opposite, I consider that there would be no detrimental impact on the rural character and community.
7. For the above reasons, the proposal would not result in an unacceptable loss of a village facility and would accord with the provisions of Policy QL3 of the Canterbury District Local Plan 2017, which allows for the loss of village and community facilities where there is no longer a continuing demand for such a use and that its loss would not have a detrimental impact on the rural character and community.

### **Conditions**

8. The Council has provided a list of suggested conditions that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty.

### **Conclusion**

9. For the reasons discussed above, having taken account of the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should be allowed.

*C Shearing*

INSPECTOR