



Appeal Decision

Site visit made on 5 October 2022

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2022

Appeal Ref: APP/X2220/W/22/3290085

26 College Road, Deal, CT14 6BP

- 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 Steven Machin against Dover District Council.
 - The application Ref 21/01176 is dated 22 July 2021.
 - The development proposed is rear dormer roof extension; proposed single storey rear and rear side infill extension; roof light to front roof pitch; proposed rear garden landscaping and car parking provision; internal alterations and refurbishment.
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Decision

1. The appeal is allowed and planning permission is granted for rear dormer roof extension; proposed single storey rear and rear side infill extension; roof light to front roof pitch; proposed rear garden landscaping and car parking provision; internal alterations and refurbishment at 26 College Road, Deal, CT14 6BP in accordance with the terms of the application, Ref 21/01176 , dated 22 July 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 drawing numbers 2069/TP-01A, 2069/TP-02A and 2069/TP-03A.
 - 3) The single storey extensions hereby permitted shall not be occupied until the flood resilience measures detailed in section e. of the Flood Risk Assessment (Project Ref 2169) dated 15 July 2021 have been undertaken. Those measures shall thereafter be retained.

Preliminary Matters

2. Prior to the appeal against non-determination, revised plans were submitted removing the proposed roof extension over the closet wing. The appellant indicated that he wished those plans to be determined by the Council. These therefore form the basis of the appeal and that element of the proposal has been removed from the description of development. Given this change, the Council indicates that a grant of planning permission would have been forthcoming if an appeal had not been made.

Reasons

3. The proposed rear dormer would be set behind its rear wing and that of No 24 so that it would be largely obscured in wider views from Alfred Row and Bridge Road. Therefore the impact on the locality and on the setting of the nearby

Deal Conservation Area would be minimal. The rear extensions would also be discrete and of modest scale. Due to their minor nature, the proposed front rooflight and roof re-cladding would not have a negative effect on the setting of the listed buildings on the opposite side of College Road. As such, the significance of these adjoining heritage assets would not be adversely affected.

4. The proposed infill extension would adjoin a long conservatory addition at No 24 and the rear extension would replace an existing lean-to. Because of this, the living conditions of the occupiers of the dwellings on either side would not be diminished.
5. The appeal site is within Flood Zone 2. Any risk of tidal flooding would be reduced by raising the level of the rear kitchen and utility spaces. The resilience measures specified in the flood risk assessment could also be secured by condition.
6. Consequently there are no objections to the proposed development.

Other Matters

7. The appellant has detailed the delays encountered in the planning application process and the circumstances which led to the appeal. This has been taken on board but its outcome is decided by assessing the effect of the proposal.

Conditions

8. As well as ensuring the flood resilience measures are carried out the plans should be specified in the interests of certainty.

Conclusion

9. No development plan policies have been referred to but material considerations indicate that the proposal is acceptable. Therefore the appeal should succeed.

David Smith

INSPECTOR