



Appeal Decision

Site visit made on 12 October 2022

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/Z2260/W/21/3286639

5 Prospect Place, Broadstairs, CT10 1LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs B Hodgson against the decision of Thanet District Council.
 - The application Ref OL/TH/21/1244, dated 28 July 2021, was refused by notice dated 27 September 2021.
 - The development proposed is the erection of three storey building containing 3 x 1 bedroom apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with matters of access, layout and scale to be decided at this stage with appearance and landscaping reserved for future determination.

Main Issue

3. The effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises a 3-storey end of terrace property and an open area which appears to be part of its garden. It is proposed to construct a 3-storey building containing three flats on the corner with Wardour Close. The houses opposite are two-storey semi-detached and at a lower level.
5. Two previous appeals for similar development on this site have been dismissed. In the first (Ref: APP/Z2260/W/18/3208132), the Inspector found that a large flat-roofed infill section at the rear would lead to multiple roof heights and forms and appear as an incoherent arrangement. The second scheme sought to address these concerns. However, that Inspector concluded (Ref: APP/Z2260/W/20/3244707) that the staggered alignment facing Wardour Close would give the building an odd, unbalanced and asymmetric appearance and that the roof would appear particularly awkward from the rear.
6. These decisions are important material considerations. Neither previous Inspector raised any objection in principle to three-storey residential development here. I share that view. That said, the key issue in this appeal is whether the proposed scale and layout would lend themselves to a satisfactory appearance, especially given the past concerns about the proposed roof form.

7. Although not simply a comparative exercise, the building would have a simpler footprint than the second scheme by following the angled alignment of the Wardour Close boundary. The rear wing would also be wider thereby reducing the width of the infill section which was part of the first scheme.
8. The illustrative elevation shows the eaves and ridge height to be slightly lower than that of No 5 to which the building would be attached. This would be consistent with the rising and falling eaves line along the existing terrace. Furthermore, the roof types along the frontage are varied. A drop down would be a logical reflection of the fall of the land and potentially a visually satisfactory way to complete an extended terrace. However, a gable end would be a more faithful termination than the hip roof indicated.
9. The rear façade of the Prospect Place terrace is visible from Wardour Close and any new development should respect its roofscape. This is quite varied and intricate. The constituent elements are generally narrow so that the roofs appear as subsidiary components whether they are gabled, hipped or flat. By contrast, the front to back span of the proposed built form would be greater than that within the terrace. This is likely to result in an uncharacteristic shallow roof pitch and, in this context, a bulky and ungainly end elevation to the proposed wing. As a consequence there would not be an effective integration between the existing terrace and the proposed development.
10. At the rear of No 5 is a two-storey flat roofed projection and a three-storey element with a gable roof which is connected to the front part of the property by a central valley. Although it would be largely hidden by the proposed rear wing, it is not clear how the small infill section would relate to the adjoining building and whether a multi-stepped appearance could be avoided.
11. If outline permission were given, then the footprint of the development would be fixed. Given the fundamental difficulties found it is not apparent that an architect would be able to negotiate a suitable detailed design. I appreciate that the appellant saw an outline application as a means to establish certain parameters. However, the second Inspector correctly observed that the prominence of the site and its visibility from the front, side and rear makes the creation of a satisfactory relationship with the existing buildings difficult. This proposal does not provide assurance that this could be achieved in an acceptable manner. Indeed, the proposed development would not relate well to the attached terrace and would detract from its attractive appearance.
12. Therefore there would be harm to the character and appearance of the surrounding area. As the proposal would not be high quality design and as it would neither promote nor reinforce the local character of the area, there would be conflict with the general design principles of Policy QD02 of the Thanet Local Plan. Furthermore, it would not be quality development as sought by Policy SP35.

Other Matters

13. The appeal site is close to Broadstairs town centre and therefore well placed to take advantage of its amenities and facilities. Local Plan Policy HO1 indicates that permission for new housing development will be granted on non-allocated sites within the urban confines, subject to meeting other policies of the Plan. Because of its design failings, the proposal would not do this.

14. Nevertheless, the National Planning Policy Framework indicates that great weight should be given to the benefits of using suitable sites within existing settlements for homes. However, the Framework also refers to good design as a key aspect of sustainable development. As there would appear to be scope to devise an alternative scheme that better relates to its surroundings, the importance attached to the objective of significantly boosting the supply of homes does not override the design objections raised.
15. As well as the representations from the Town Council and the Broadstairs Society, local residents have raised other concerns including traffic, parking, noise, privacy and outlook. However, none of these add to the harm identified.
16. In combination with other development in Thanet, the proposal would have a likely significant effect on the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The planning obligation dated 4 November 2021 would secure an SPA sum towards mitigation in line with Local Plan Policy SP29 and the Strategic Access Management and Monitoring Plan. However, as the appeal is to be dismissed, there is no need to undertake an appropriate assessment or to give consideration to the Conservation of Habitats and Species Regulations.

Conclusion

17. The proposed development would be contrary to the development plan and there are no other material considerations that outweigh this finding. Therefore, for the reasons given, the proposal is unacceptable and the appeal should not succeed.

David Smith

INSPECTOR