



Appeal Decision

Site visit made on 8 November 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/K2230/W/21/3284089

35A Brandon Street, Gravesend, DA11 0PL

- 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 Mr Cliff Potter against the decision of Gravesham Borough Council.
 - The application Ref 20210364, dated 23 March 2021, was refused by notice dated 20 May 2021.
 - The development proposed is Demolition of the existing timber office and proposed first floor office with undercroft parking
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on the living conditions of occupiers of neighbouring properties, with particular regard to the effect on outlook and noise/disturbance.

Reasons

Character and Appearance

3. The appeal site comprises a builders yard located to the rear of residential properties on Brandon Street. The site is quite compact and contains an existing single storey building and a storage building.
4. The surrounding area predominantly includes residential development. However, there are various commercial and other uses within the vicinity of the appeal site. Many of the properties on Brandon Street have been extended to the rear and some have separate buildings within their rear gardens. However, most of the neighbouring outbuildings in close proximity to the appeal site are single storey. As such, the prevailing character is of residential development with small extensions prevalent.
5. The proposal would include the demolition of the existing single storey building and the erection of a two-storey building in its place. The proposed building would provide vehicle parking spaces below.

6. Given the compact nature of the appeal site, the proposed two storey development would sit very awkwardly within the plot and would appear as an alien feature within the context of much smaller scale extensions and outbuildings in the immediate vicinity. The proposal which would extend almost the full width of the site, would be particularly visually harmful when viewed from neighbouring dwellings on Brandon Street.
7. There are larger buildings to the rear of properties on Brandon Street. However, these are located further to the south of the site, in close proximity to Arthur Street. As such, these buildings do not reflect the prevailing and more traditional residential character within the vicinity of the appeal site. Furthermore, I have not been provided with any substantive evidence to indicate that these buildings were granted planning permission, nor evidence to demonstrate the case-specific circumstances which led to any such permission being granted. For these reasons, this consideration does not outweigh the visual harm which would be caused by the proposal.
8. There is also a large and prominent building to the rear of the appeal site. However, whilst partially visible from the site, this building is separated from the appeal site by a relatively large car park. Indeed, the appeal site is more synonymous with the residential gardens to the north and south. The development would be particularly out of character when viewed in conjunction with the residential gardens to the north, which comprise very few outbuildings and are far more open in this regard.
9. The appellant has referred to the proposed materials. However, the use of sympathetic materials would not overcome the harm which would be caused by the excessive scale and bulk of the proposed development.
10. For these reasons, the proposed development would be harmful to the character and appearance of the area. It would therefore conflict with Gravesham Local Plan First Review (2014) Policy CS19, which seeks in part to ensure that new development integrates well with the surrounding area.

Living Conditions

11. Given the excessive scale of the proposed building and its close proximity to the rear elevations of 34 and 35 Brandon Street, the development would create a harmful enclosing effect. This would be exacerbated by the width of the development which would extend for the full length of the rear boundary of both of these neighbouring gardens. The result would be a building which is dominant and overbearing.
12. I accept that there is a much larger building further to the rear of the appeal site. However, it is not the view from the neighbouring properties which is of concern, rather it is the overbearing impact of the development. In this sense, any screening effect provided would be significantly outweighed by the oppressive impact of the proposal.
13. The Council considered that the proposed development would lead to noise and disturbance of neighbouring occupiers. Whilst two new parking spaces are proposed, this would be a minimal increase in the outside area of the site and the remainder of the proposal relates to provision of a site manager office. There would be a minor increase in floorspace in this regard. However, these are minor changes which are unlikely to result in any significant increase in

activity over and above the existing use. I therefore find no additional harm in terms of noise and disturbance.

14. In summary, the proposal would result in an enclosing and oppressive development which would have a harmful impact on outlook when viewed from 34 and 35 Brandon Street. It would therefore be harmful to the living conditions of occupiers of these neighbouring buildings and would conflict with Local Plan (2014) Policy CS19 insofar as this policy seeks to safeguard the amenity of neighbouring occupiers.

Other Matters

15. The proposal would also conflict with the provisions of Framework Paragraph 130 which seeks in part to ensure that development is sympathetic to local character and provides a high standard of amenity to existing users.
16. There would be economic benefits associated with the proposed increase in floorspace, with some general support from Local Plan Policies CS02 and CS07 as well as the Framework, in terms of improving employment provision. However, given that this increase would be modest, this benefit would be of limited weight. Indeed, the appellant has also referred to the extent to which the development complies with Local Plan (2014) Policies CS01, CS18 and CS19. However, these policies do not directly relate to the main issues of this appeal and the extent to which the development complies with them is not a consideration which outweighs the harm which would be caused by the development.
17. The appellant asserts that the proposal would allow a safer and more energy efficient space to work in. However, there is little substantive evidence to demonstrate how the proposal is beneficial in this regard. The appellant also asserts that the current building is not suitable for modern day business and that the proposed development would support the existing business. However, again, no substantive evidence has been provided to support either of these assertions. In any case, even if I were to accept these benefits, they would not be sufficient to outweigh the significant visual harm combined with the harm to living conditions.

Conclusion

18. The proposed development would conflict with the development plan taken as a whole. There are no material considerations of sufficient weight to indicate a decision other than in accordance with it. Indeed, the collective benefits of the scheme would not outweigh the significant harm which would be caused. As such, the appeal is dismissed.

Luke Simpson

INSPECTOR