
Appeal Decision

Site visit made on 1 December 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/V2255/W/22/3300605

40 Willement Road, Faversham ME13 7SZ

- 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 & Mrs Harris against the decision of Swale Borough Council.
 - The application Ref 20/502391/FULL, dated 3 June 2020, was refused by notice dated 6 August 2020.
 - The development proposed is a 2 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The proposal is for a two bedroom split level detached dwelling on part of the garden of No 40, a semi-detached house at the cul-de-sac end of Willement Road. The property has a relatively narrow frontage but the garden widens out significantly to the rear and also drops away steeply towards the rear gardens of the houses on The Knole behind. The new dwelling, which would replace an existing garage and shed, would be set well back behind the front elevations of both No 40 and the adjacent house at right angles No 42, and from a distance would appear single storey until closer to when the existence of the lower floor would become apparent.
4. This end of Willement Road consists of five pairs of two storey semi-detached houses arranged around the turning head and is notable for the wide gaps between the houses with double driveways leading to flat roofed or low-pitched garages allowing surprisingly attractive views of the verdant residential areas behind. The two gaps at the end, between Nos 40-42 and Nos 31-33, are particularly wide and the overall effect is a spacious, low-density environment.
5. By interposing a new dwelling in the first of these gaps, with only a narrow path left alongside the common boundary with No 42, the proposal would block much of the view and introduce an oddly hemmed-in dwelling within the street scene. The pleasant spacious symmetry of the existing cul-de-sac would be lost and, unlike nearby properties, neither the new nor current dwelling would have individual garages, a relatively cramped area of hardstanding for four cars being provided in front of the properties instead.

6. The appellant argues that a large outbuilding could be erected on the site of the dwelling under permitted development rights and that this fallback position should be taken into account when assessing the proposal. However, the application to establish this was dismissed on appeal¹ as it was concluded that the outbuilding was not required for purposes incidental to the enjoyment of the existing dwelling but rather to support the case for a house. Consequently, whilst an alternative outbuilding would be possible, its size and likelihood is uncertain and accordingly little weight should be given to this factor.
7. For these reasons the proposal would significantly harm the character and appearance of the area contrary to Policies CP4 and DM14 of the Swale Borough Local Plan 2017. These require development proposals to be high quality design that is appropriate to its surroundings and to be both well sited and of a scale, design and appearance that is sympathetic and appropriate to the location.

Conclusion

8. The proposal would provide an additional dwelling in a sustainable location which would contribute towards local housing needs in an area currently without a five-year housing land supply. It would also make efficient use of land, provide social and economic benefits for the town, be a self-build project and provide accommodation for the appellant's elderly parents². However, in this case these benefits would be significantly and demonstrably outweighed by the adverse impact on the character and appearance of the area and the associated conflict with the development plan.
9. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

¹ APP/V2255/X/21/3268503

² although there is no mechanism to ensure this.