



Appeal Decision

Site visit made on 22 March 2023

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 April 2023

Appeal Ref: APP/Z2260/W/21/3287749

6 - 6a Luton Avenue, Broadstairs, CT10 2DH

- 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 Maybank Homes against the decision of Thanet District Council.
 - The application Ref OL/TH/21/0319, dated 4 March 2021, was refused by notice dated 4 June 2021.
 - The development proposed is the erection of a 3-storey building containing up to 10 units following demolition of existing buildings to include layout and scale.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline, but with layout and scale to be considered at this stage.
3. Before being determined by the Council, the scheme was amended to 9 units as shown on revised drawings LA/21/2/2a, 3a, 4a and 5a. This decision is based on the revised scheme.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. Luton Avenue is a pleasant street of mostly earlier 20th century detached and semi-detached houses. Most houses are individually styled with a variety of built forms including varied roof shapes, gables, windows and materials, and are set on plots of restrained width. This sets up a rhythm of development which gives the street an interesting character. The scale is modest; there are some examples of rooflights and roof extensions, but the overriding appearance is of two-storey development.
6. The site itself currently consists of two detached houses each of two storeys, which are currently used as a care home. These houses, although now conjoined, still present themselves as individual buildings and therefore fit into the prevailing pattern of development. They would be demolished and replaced with a new building which would span both plots, presenting a much wider frontage than is common in the street. Moreover, the proposed building would have a substantial second floor capable of accommodating two flats; the illustrative plans show two three-storey front facing gables with two large

dormer windows in between. Both the width of the building and the additional height created by the gables and large dormers would make the scheme much bulkier than the present buildings and out of place in the context of the prevailing pattern of development. Whilst appearance is a reserved matter, alternative elevational treatments and internal layouts would not be capable of overcoming these objections, because of the amount of development proposed.

7. The submitted plans show vehicular access through the middle of the building to a car park at the rear, an arrangement which itself would appear as an alien form in this residential street. The car park would occupy most of the rear garden with hard surface, and whilst there are one or two examples of rear parking arrangements in the area, the proposed scheme would leave a relatively small area for planting and amenity space and would erode the green character of the area to the rear of the houses.
8. For the above reasons the scheme would have an inappropriate scale and layout and would harm the character and appearance of the area. The proposal would be contrary to Local Plan Policies SP35 and QD02 and Broadstairs and St Peter's Neighbourhood Plan Policy BSP9 which require well designed development which respects and enhances the local character and sense of identity of the area, paying particular attention to context, identity, scale, massing, rhythm, and layout.

Other Matters

9. There is less than 5 years' supply of deliverable housing in the district. However, the site is already a care home which provides a housing resource. The harm that would arise from the scheme would significantly and demonstrably outweigh the benefits that would arise from the provision of the proposed apartments.
10. I note the appellant's offer to enter into an obligation in respect of mitigation measures for the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI). I also note the findings of the bat survey. However, neither these nor any of the other matters raised alter the balance of my conclusions.

Conclusion

11. For all the reasons given above I dismiss the appeal.

Jonathan Bore

INSPECTOR