



Appeal Decision

Site visit made on 6 December 2023

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024.

Appeal Ref: APP/X2220/W/23/3319870

**Land at 19 St Augustines Road and 54 St Martins Road, Deal, Kent
CT19 9NZ**

- 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 Simon Pollard against the decision of Dover District Council.
 - The application Ref 22/01624, dated 7 December 2022, was refused by notice dated 3 March 2023.
 - The development proposed is erection of a detached dwelling, associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers where necessary in this appeal.

Main Issue

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

Reasons

4. The appeal site sits at the junction of St Augustines Road and St Martins Road. It is enclosed by a low brick boundary wall, other than where this has been removed to allow access for off-street car parking. Development in the surrounding area is a mixture of terraced, semi-detached and flatted development, leading to some variety in layout. The area has an open quality derived from the incidental open spaces and generous front gardens which are particularly spacious for corner properties.
5. The proposed dwelling would occupy one such corner. Its front elevation would be consistent with that of 54 St Martins Road. However, due to the layout of St Augustines Road, the existing dwellings appear to have a stepped arrangement. While it may be that the proposed dwelling sits only 1m closer to St Augustines Road than No 19, it would nonetheless appear particularly

prominent. There would only be a short gap separating the side elevation of the proposed dwelling from the highway. This is not typical of development in the area which is generally set behind generous gardens. As a result, the proposed dwelling would appear incongruous and would harm the spacious, open character of the area.

6. This would be exacerbated by the proposed dormer to St Augustines Road. Due to its position on the roof slope, it would add to the mass of the dwelling, further emphasising the incongruity of the siting of the proposed development with that surrounding it. These effects would not be mitigated by the limited landscaping proposed.
7. It may be that a side extension could be constructed using permitted development rights however there is no such scheme before me. In any event, an attached extension would be clearly smaller in scale and have a different relationship to the existing development than the proposed detached dwelling. I also do not have details of how a dormer could be installed to the existing properties to demonstrate how this could mitigate this effect.
8. The dwelling would, other than the dormer referred to above, be proportionate to the surrounding dwellings. Details of materials have been provided which would be well related to those in the surrounding area. This could be secured by condition, as could details of the boundary treatments. However, these would not be sufficient to overcome the harms I have identified above.
9. The proposed development would have an adverse effect on the character and appearance of the area. It would therefore be contrary to paragraph 135 of the Framework which requires planning decisions to ensure that proposed development would function well and add to the overall quality of the area. It would also be contrary to Dover District Local Plan to 2040 Regulation 19 Submission (October 2022) Policies SP4 and PM1 which, taken together and insofar as they relate to this appeal, require development to demonstrate an awareness of the context of the area, be compatible with its layout and respect and enhance its character.

Other Matters

10. There would be a benefit from the delivery of an additional dwelling in proximity to the services and facilities available in the urban area and the associated economic benefits of development. However, there is no evidence before me to suggest the Council is not meeting its requirements with respect to the delivery of housing or the supply of housing land. The benefits of a single dwelling would be limited.
11. The effect of the proposed development on the living conditions of surrounding residents would be acceptable, as they would be for future residents of the proposed dwelling. Appropriate off-street car parking would be provided. However these would amount to a lack of harm and would therefore be neutral.
12. Any concerns with the manner in which the Council dealt with the application are beyond the scope of this appeal which has been dealt with on its planning merits.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

J Downs

INSPECTOR