



Appeal Decision

Site visit made on 23 January 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2024

Appeal Ref: APP/H2265/W/23/3326496

Land on Shipbourne Road/The Ridgeway housing former W.C.s, Tonbridge, Kent TN10 3ER. Easting: 559316, Northing: 148087.

- 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 Bartlett (East Cliff Developments (Kent) Ltd) against the decision of Tonbridge and Malling Borough Council.
 - The application Ref TM/23/00695/FL, dated 28 March 2023, was refused by notice dated 24 May 2023.
 - The development proposed is the residential development of site with 1no. single-storey detached 2-bedroom dwelling, together with associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. The parties have had the opportunity to comment on this as part of their appeal submissions. I have had regard to the revised Framework in my decision.

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 is located near the corner of The Ridgeway with Shipbourne Road, close to a roundabout. It comprises part of a narrow and open parcel of land, which is mainly shrubland. The remaining land in the parcel is within the appellant's ownership and contains a modest detached building formerly used as a public convenience. Taken as a whole, the parcel of land makes a positive contribution to the sense of spaciousness within this otherwise built-up area.
5. The site is adjacent to a row of terraces that fronts Shipbourne Road. Opposite the site there are terraced bungalows, which front The Ridgeway and are set behind open frontages laid to grass. These bungalows form part of the larger development at Town Acres, which is set in a cul-de-sac arrangement. Thorpe Avenue comprises detached dwellings fronting this road. The plots in the vicinity are normally long, and their depth is perceived on the corner plots that have their side boundaries adjacent to The Ridgeway. The surrounding dwellings are varied in terms of their architectural style and materials.

6. As the site comprises the southeastern part of the parcel of land, the proposal would fail to create a natural continuation of the pattern of development in the area. Consequently, the proposal would appear isolated in the context of the surrounding built form. This harm would be compounded by the size of the plot, which would be noticeable smaller than those surrounding.
7. Despite the retention of a planted landscape strip along The Ridgeway, the scale of the proposal would significantly reduce the existing open character of the site and diminish the positive contribution it makes to the area. The narrowness of the site would push the dwelling closer to the pavement edge, so it would appear prominent and intrusive in the street scene.
8. For these reasons, therefore, the proposed development would be harmful to the character and appearance of the area. Consequently, the proposal would conflict with Policies CP1 and CP24 of the Tonbridge and Malling Borough Council Core Strategy 2007 and Policy SQ1 of the Managing Development and the Environment Development Plan Document 2010, where these policies require development to reflect the local distinctiveness and support high quality design. Further, the proposal would conflict with the Framework, where it supports development that is sympathetic to local character.

Other Considerations

9. There is permission for a mirror image style dwelling immediately to the side of the appeal site. This permission remains extant and, on the evidence before me, there is a good prospect that it will be implemented.
10. The approved scheme would retain a degree of openness due to its long rear garden which comprises the current appeal site. However, if taken in combination with the appeal proposal this garden space would also be lost to development. Despite the single storey height of both dwellings, the scale and spread of development across the parcel of land would significantly erode its openness. The linear arrangement of the appeal proposal and the extant scheme would result in the plots appearing uncharacteristically small and cramped.
11. The proposal would present an opportunity to enhance the site in terms of landscaping. However, this would be achieved by the extant consent, so it would not provide justification to redevelop the site as proposed.
12. In light of the above, the consented scheme would not alter my conclusion on the main issue and is a consideration which I find does not weigh in favour of the proposed development.

Planning Balance and Conclusion

13. The Council cannot demonstrate a 5 year housing land supply of deliverable housing sites and there is no dispute between the parties that the figure is 3.22 years. Therefore, the provisions of paragraph 11d) of the Framework should be applied.
14. The proposal would deliver modest ecological enhancements. It would meet the Framework's objectives of boosting the supply of housing and would deliver a new dwelling on a brownfield site within an urban area with good access to services and public transport. Additionally, the proposal would logically reduce the pressure for development in the Green Belt. However, even allowing for the

identified shortfall, the social and economic benefits associated with a single dwelling would be small, and the economic benefit that would be accrued from the construction process would be temporary and limited.

15. The adverse impacts of the proposal on the character and appearance of the area attract substantial weight and therefore significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
16. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations of sufficient weight to indicate that a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Terceiro

INSPECTOR