



Appeal Decision

Site visit made on 23 April 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 May 2024

Appeal Ref: APP/T2215/Z/23/3331435

27-29 Station Road, Longfield DA3 7QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Savas Sasmaz against the decision of Dartford Borough Council.
 - The application Ref is DA/23/00845/FUL.
 - The development is to retain infilling of front canopy with glazing.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted retrospectively, and I saw at my site visit that the development had been constructed and was in use. I have therefore considered the appeal on a retrospective basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building, appeal site and the surrounding area.

Reasons

4. The appeal site is occupied by two commercial units that are currently in use jointly as a restaurant. It is located within a town centre location where the majority of commercial units are set back from the road with large, open forecourts to the front. The spaciousness of these forecourts contribute positively to the streetscene. Planning permission¹ has previously been granted for the provision of a new entrance and front canopy, to the front of 29 Station Road to create a terrace area and covered outdoor seating for customers. The development, which is the subject of this appeal, is the infilling of this front canopy with glazing.
5. The appellant states that the development is only for the infill of the existing roof canopy and posts with clear glass. However, the submitted plans and the development on site establish that the aluminium frame is more extensive than what was previously approved, with a thicker window frame, window bars and large end panels at roof level.
6. Therefore, whilst the canopy roof is retractable and the seating area is not fully enclosed on one side, due to the extent of the frame, the development still

¹ Ref 21/00110/FUL

largely appears as a more conventional and permanent front extension to the commercial unit. Whilst there is a high level of clear glazing, any through views are partially obstructed by the thick frame that disrupts the previous open appearance of the appeal site to the detriment of the character and appearance of the locality. This level of built form is an overly dominant and incongruous addition to the host building and the streetscene, where the forecourts of other units are open and front extensions are not commonplace.

7. For the reasons above, I find that the development is harmful to the character and appearance of the host building, appeal site and the surrounding area and would therefore conflict with Policy DP2 of the Dartford Development Policies Plan (2017). This policy seeks to ensure that development will only be permitted where it satisfies the locally specific criteria for good design in the Borough, responding to, reinforcing and enhancing positive aspects of the locality.
8. The development would also conflict with Policy M1 of the Pre-Submission (Publication) Dartford Local Plan (2021) which seeks to ensure development reinforces and enhances good design by integrating with the public realm, with proper regard to the current built environment and the location of the site in the Borough and its characteristics.

Other Matters

9. It is understood that the development is intended to protect customers from traffic, noise and adverse weather conditions when using the terrace area, improving the customer experience. It has been stated that this would support the viability of the restaurant business and the overall vitality of the town centre. However, no evidence has been provided to suggest that without the development the business would not be viable. Furthermore, it has not been demonstrated that alternative options have been considered which may have a lesser impact on the character and appearance of the area. Therefore, the need for the development and the resultant benefits would not outweigh the harm identified.

Conclusion

10. Therefore, for the reasons given above and having had regard to all other matters raised, the development would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR