
Appeal Decision

Site visit made on 22 May 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2024

Appeal Ref: APP/J2210/D/24/3338543

131 Mickleburgh Hill, Herne Bay, CT6 6JZ

- 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 & Ms Scorgie against the decision of Canterbury City Council.
 - The application Ref is CA/23/01854.
 - The development proposed is new roof incorporating first floor accommodation on existing bungalow to form chalet bungalow, demolish existing outhouse and replace with new garden room with balcony over.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a modest single storey dwelling that has an unassuming presence within the street scene. It is positioned at the junction of Mickleburgh Hill and Reculver Road. It is one of a row of single storey dwellings which run along the eastern side of Mickleburgh Hill and return along the first part of the northwestern side of Reculver Road. Whilst there is consistency in them being single storey buildings and in their use of materials, there is also some variation in the styling, sizes and heights of these properties.
4. Elsewhere in the immediate vicinity, properties are generally, but not exclusively, two storeys in height and similarly offer variation in their architectural design, size and appearance. Dwellings in the vicinity of the appeal site are generally set back from their site frontages and, together with the width of Mickleburgh Hill and the absence of built form close to its junction with Reculver Road, the area has a spacious character.
5. The proposal would add considerably to the upper parts of the existing building, creating a more substantial structure. Whilst these works would be within the existing footprint of the dwelling, and the new eaves and ridge heights might not be fully two storeys, the extent of alteration would be evident. The form and bulk of the works would result in dominant additions that would not be subservient or sympathetic to the existing dwelling.
6. Consequently, when set against the established form and bulk of the neighbouring bungalows, the resulting dwelling would appear unduly prominent

and jarring in the street scene. Its position at the junction of Reculver Road and Mickleburgh Hill would allow its increased mass and scale to be seen in vistas along both streets, exacerbating its awkward presence.

7. I accept that, from certain points the enlarged dwelling would be seen in the same views as two storey dwellings on Mickleburgh Hill and Reculver Road. However, there is a clear physical separation between those two storey houses and the existing bungalows. As such I do not consider these different forms and heights to represent a visual imbalance that is harmful to the area or which necessarily needs to be rectified.
8. Similarly, whilst a larger building on a corner plot can represent good townscape design, it is not always necessary. Even though the Council's supplementary guidance may not specifically address the issue of corner plots, I have found the larger building proposed in this case to be harmful.
9. I therefore conclude that the scheme would result in harm to the character and appearance of the surrounding area. It would be in conflict with Policies DBE3 and DBE6 of the Canterbury District Local Plan July 2017 which, amongst other things, seeks to ensure that developments such as those proposed positively contribute to the local context and are not detrimental to the streetscape.
10. The proposal would also be contrary to the National Planning Policy Framework which seeks, amongst other matters, to ensure new development is sympathetic to local character.

Other Matters

11. There was a discrepancy in the submitted documents as to the proposed roofing materials to be used and the Officer Report (OR) referenced what was written on the application forms rather than the drawings. From my reading of the OR, the nature of the materials appears to have been a secondary concern for the Council and it did not form part of the reason for refusal. I have noted the correct palette of materials to be used and that they would be reflective of other houses in the area. However, this does not alter my conclusions with regard to the main issue of the case.
12. There are taller buildings/structures on the distant skyline. The appellant refers to the Blacksole Farm site which would increase the number of taller buildings and block existing views of the Premier Inn. However, this does not mean that the proposal would not be seen or would not attract attention. Indeed, when crossing the railway line, heading towards the site and away from the Premier Inn, the appeal proposal would be a prominent and conspicuous building.
13. I noted on my site visit one and two storey dwellings positioned next to one another along Mickleburgh Hill. In the examples I saw, the properties were contained within a row of houses and thus their context is different from the appeal site.
14. The proposal would meet the appellants' long term housing needs and be a more viable and efficient solution than a single storey extension. However, Planning Practice Guidance advises that planning permission usually runs with the land, and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit

from the permission but there are not sufficient grounds in this case to justify such an approach.

Conclusion

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
16. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan.
17. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR