



Appeal Decision

Site visit made on 7 August 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2024

Appeal Ref: APP/J2210/W/23/3331871

24 Preston Parade, Seasalter, Kent CT5 4AD

- 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 & Mrs Ian Horswell against the decision of Canterbury City Council.
 - The application Ref is CA/23/00704.
 - The development proposed is replacement 5 bedroom property with associated parking following demolition of existing property.
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Decision

1. The appeal is allowed and planning permission is granted for replacement 5 bedroom property with associated parking following demolition of existing property at 24 Preston Parade, Seasalter, Kent CT5 4AD in accordance with the terms of the application, Ref CA/23/00704, subject to the conditions in the attached schedule.

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 bungalow located within a residential area and accessed via a private road. Whilst properties are generally detached, there is a range of different house types along Preston Parade with an accompanying variation in height, bulk and form. Their designs include traditional, modern and contemporary styles and the dwellings are constructed with a range of external facing materials such as brickwork, render, timber boarding, and a variety of different fenestration types and roof finishes.
4. The proposed replacement dwelling would display characteristics associated with some of the newer buildings in that it would very clearly have three storeys and a flat roof. The absence of a pitched roof would therefore give the proposal a bulk and mass which is greater than many of the nearby properties, and certainly the building it would replace.
5. Indeed, the proposed house would clearly be taller and larger than the adjoining property, No. 25 Preston Parade. Given the form of this neighbouring building, the proposal would be evident in longer views, particularly from the west. However, this would not be an unusual relationship within the street. Indeed, Nos. 21, 22 and 23 are all visibly taller and larger than the appeal

- property and No.25. Elsewhere on Preston Parade, similar differences in height and size are evident.
6. The proposed gaps either side of the new dwelling, together with the curved balconies and stepping back of the storeys would provide some visual relief and distinction between the proposed building and its neighbours on either side. The front of the proposed house would be stepped slightly forward of the existing dwelling. However, there is some variation in the position of dwellings relative to their site frontages and the new building's position would respect the neighbouring properties either side of it.
 7. Whilst there are large flat roof dormers on the fronts of Nos. 25 and 26, there are no other examples of fully flat roof buildings in close proximity to the appeal site. However, Preston Parade is interspersed with a number of flat roof buildings as well as a curved roof building a little to the west of the appeal site. As such, the proposal could not be said to be a completely alien or unexpected design within the varied range of roof forms found locally. Furthermore, the proposed external materials and fenestration would contribute to the varied palette of materials and styles, which add to the area's eclectic mix of buildings.
 8. Overall, I do not find that the proposal would detract from the character and appearance of the street scene. The Council refer to the site's 'immediate context' and to which it is said Policy DBE3 of the Canterbury District Local Plan 2017 (Local Plan) requires consideration. Although the supporting text at paragraph 8.39 of the Local Plan refers to immediate context, this appears to be more of a reference to the central areas of Whitstable. The wording of Policy DBE3 requires that developments, amongst other things, have regard to the character, setting and context of the site. The policy does not refer to 'immediate context'. I have therefore considered the proposal having regard to these policy objectives and found that it would be compliant.
 9. As the proposal is for the demolition of the existing property rather than its alteration or extension, I am satisfied that Policy DBE6 of the Local Plan is not applicable in this instance.
 10. The proposal would accord with Paragraph 135 of the Framework which requires that, amongst other things, development is sympathetic to local character.

Other Matters

11. The Council considered the effect on the living conditions of neighbouring occupiers to be acceptable given the distances involved and use of obscure glazing. Having considered the proposal, including the new means of enclosure, I have no reason to come to a different conclusion.
12. Whilst I acknowledge the concerns raised regarding the sewer and drainage infrastructure, there is no substantive evidence before me to indicate that an acceptable solution could not be achieved.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans, in the interests of certainty.

14. To ensure the development functions as intended it is necessary for the access, parking, turning areas and cycle parking to be fully installed on site prior to the occupation of the dwelling.
15. To protect the living conditions of neighbouring occupiers, those windows identified as being obscurely glazed, together with the first floor windows on the east and west elevations shall be conditioned to be obscurely glazed, and non-opening below 1.7m. In addition, the means of enclosure set out in the approved plans would need to be fully implemented prior to occupation.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Stewart Glassar

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing numbers:

Proposed Elevations and Section	-	02 Rev C
Proposed Plans	-	03 Rev C
Proposed Site Plan and Site Location Plan	-	04 Rev E
3. Prior to the occupation of the dwelling hereby permitted, the area shown on the approved plans for the access, parking, and manoeuvring of vehicles shall be fully constructed and operational. It shall be retained as such thereafter.
4. Prior to the occupation of the dwelling hereby permitted, details of secure cycle storage shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully installed prior to the occupation of the dwelling and thereafter retained.
5. Prior to the occupation of the dwelling hereby permitted, the means of enclosure as set out on the approved plans shall be fully implemented and thereafter retained.
6. The dwelling hereby permitted shall not be occupied until the first floor windows on the east and west elevations; and those other windows identified on the approved plans as being obscurely glazed, have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

END