



---

## Appeal Decision

Site visit made on 27 April 2017

**By Lynne Evans BA MA MRTPI MRICS**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 2 May 2017**

---

**Appeal Ref: APP/V2255/D/17/3169954**  
**12 Norman Road, Faversham ME13 8PX**

- 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 Michael Pedersen against the decision of Swale Borough Council.
  - The application Ref: 16/507242/FULL dated 30 September 2016, was refused by notice dated 29 November 2016.
  - The development proposed is new drop kerb and garden wall alterations to provide off street, user friendly, parking.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the Faversham Conservation Area.

### Reasons

3. The appeal property is a semi-detached property on the northern side of Norman Road and within the designated heritage asset of the Faversham Conservation Area. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of such areas. There is currently pedestrian access only to the property with a low brick garden wall and piers marking the front boundary, with pedestrian access to the side serving the appeal property and the rear of the neighbouring property at No 14, Norman Road and the surrounding streets benefit from on-street parking permits and at the time of my site visit there was no shortage of available on-street parking spaces. I have not been provided with any information to suggest that there are any parking difficulties in the local area.
4. The appeal property is subject to an Article 4(2) Direction which includes the removal of permitted development rights for the demolition of front walls and walls fronting highways. The proposal would involve the demolition of a significant section of the existing front garden wall and provision of a hard surfaced area within the front garden to enable off-street parking to be provided.

Appeal Decision APP/V2255/D/17/3169954

---

5. The Faversham Conservation Area is extensive in its designation and, from my site visit, appears to encompass the historical progression of the town. Norman Road and the surrounding residential streets within the Conservation Area primarily date from the late Victorian period. Despite later development and alterations, there remains a general uniformity in the character and appearance of these streets and the regular pattern of low front brick garden walls with brick piers contributes to the overall cohesiveness of this local area and the significance of the designated heritage asset.
6. The houses in Norman Road benefit from slightly larger front gardens than some of the properties in the surrounding streets. There are many examples within Norman Road of off-street parking within front gardens which has interrupted and, as a result, diminished the pattern of the characteristic and traditional front garden boundary treatments. The Council advises that none of these off street parking spaces, including the removal of front garden walls, appears to have the benefit of planning permission and that they may have been undertaken before the Article 4 Direction was introduced. I have been provided with no other information to contradict that assessment.
7. Despite the many interruptions to the traditional front boundary treatments within Norman Road, there remains a continuous pattern of intact front walls and piers to the properties at the eastern end on the northern side of the street, including the appeal property which, respect the traditional pattern of development. The removal of a significant part of the front garden wall at the appeal property to enable off-street parking would interrupt and diminish this feature which, in my view, contributes positively to the character and appearance of the Conservation Area.
8. I therefore conclude that the proposal would not preserve the character and appearance of the Faversham Conservation Area. This harm would conflict with Policies E1 and E15 of the Swale Borough Local Plan 2008 (Local Plan) as well as the National Planning Policy Framework (Framework), with particular reference to the Core Planning Principles at Paragraph 17 and Section 12 on *Conserving and enhancing the historic environment*. These all seek to protect the significance of heritage assets including conservation areas. Policy E15 of the Local Plan refers to preserving or enhancing features which contribute positively to the area's special character and appearance and includes at criterion 2 specific reference to, amongst other things, retaining means of enclosure.
9. Paragraph 134 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. No public benefits have been advanced although work on the proposal could lead to some small benefits to the local economy. The proposal has been designed to a high standard but I do not consider that this would, on its own, be a public benefit. Whilst the harm to the designated heritage asset of the Conservation Area would, in my view, be less than substantial, the public benefits would not be sufficient to outweigh that harm.

Appeal Decision APP/V2255/D/17/3169954

---

10. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

*L J Evans*

INSPECTOR