
Appeal Decision

Site visit made on 30 June 2014

by K R Saward Solicitor

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

Decision date: 18 July 2014

Appeal Ref: APP/V2255/A/14/2216634
27 Hilton Close, Faversham, Kent ME13 8NN

- 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 Roger Moore against the decision of Swale Borough Council.
 - The application Ref SW/13/1252, dated, 1 October 2013 was refused by notice dated 28 November 2013.
 - The development proposed is erection of a detached dwelling with associated parking on land adjacent to No 27 Hilton Close.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. To gain a full appreciation of the site, I undertook an unaccompanied visit of the site with the occupier's consent.

Main Issues

3. The main issues raised are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - the effect of the proposed parking arrangements at No 27 Hilton Close on highway safety in Hilton Close.

Reasons

Character and appearance

4. Hilton Close forms part of a pleasant modern residential estate. The road is characterised mainly by modest detached houses on relatively small plots. No 27 is located beside a long row of link detached houses. All of these houses are built very close to the road with no footway. Their rear boundaries are adjacent to a cliff edge with a sheer drop created by excavations at the former lime works on which all the properties are built. Whereas the other properties in the row are of uniform appearance, No 27 notably differs in style and its 'L' shape form has its flank wall facing the road. The proposal is to sever part of the side garden from No 27, which is on a bend in the road, and to construct a three bedroom detached dwelling.

5. The proposal seeks to overcome the reasons for refusal for a previous proposal for a detached dwelling on the site which was dismissed on appeal in 2013¹. By orientating the proposed dwelling so that it is also side facing the road and in positioning it close to No 27, there would be less built-up frontage than the previous scheme. To some extent this would preserve the sense of openness and maintain most views of the mature trees on the cliff edge which make an important contribution to relieving the density of building in this part of the road. Whilst the amount of vegetation would be reduced, this would be mitigated by planting in front of the dwelling and within the appeal site.
6. However, this would not sufficiently overcome the impact of a wide hard surfaced parking area to the immediate frontage. This part of the site is particularly prominent due to the curve in the road. The dominant impression would be of the parking area rather than greenery which currently plays a significant role in enhancing the street scene. As such, the quality of the area would be diminished rather than maintained.
7. Furthermore, as the plot is small and constrained by its irregular shape, the size and scale of the proposed dwelling extending the majority of its depth, would give rise to a cramped appearance. Although there are other properties on small plots, those I noted on my site visit were not so prominently located. Where dwellings have been extended into their gardens the impact is not comparable to the construction of a wholly new dwelling.
8. Consequently, I find that these aspects of the proposed development would have an adverse effect on the character and appearance of the surrounding area contrary to Policies E1 and E19 of the Swale Borough Local Plan (LP), 2008. Amongst other things, these policies seek to achieve development that protects and enhances the built environment. It would also be contrary to Paragraph 58 of the National Planning Policy Framework (the Framework) insofar as it seeks development that adds to the overall quality of the area.
9. The differing design and use of tile hanging would add interest to the street scene without being obtrusive particularly in view of the wide range of building styles and materials in the area. It would also reflect the use of cladding on No 27 and elsewhere on the estate. The amount of cladding would be extensive, but I do not consider that this would detract from the street scene. Whilst the roof span would be wider than neighbouring properties, its visual impact would be mitigated by its orientation with the flank wall directly facing the road. In these respects I find the proposal acceptable and that no conflict with the aforementioned policies arises.

Parking arrangements

10. In addition to a single detached garage at No 27, there is currently space providing parking to either side of the garage. The area between No 27 and its garage would remain. This comfortably provides parking for one vehicle, but would not suffice to accommodate more than one car. The space between the garage and side garden would be lost leaving one car parking space and parking for one vehicle in the garage. LP Policy T3 requires appropriate vehicle parking arrangements in accordance with Kent County Council parking standards². The recommended standard of two spaces for a four bedroom

¹ Appeal Ref: APP/V2255/A/12/2181892

² Kent Design Guide Review: Interim Guidance Note 3, 2008 for Residential Parking

dwelling in addition to any garage would not be achieved. The figures are not expressed to be a maximum, but provide a guide.

11. However, without the recommended number of spaces there is potential for residents who, for convenience, would wish to park in proximity to No 27 where there is very limited availability for on-street parking due to the narrowness and bends in the road. This would restrict access and present inconvenience to other road users. It could also pose a highway safety risk if parked vehicles impede visibility near the children's play area opposite or if vehicles were to park outside No 27 near to the bend in the road.
12. Whilst the appellant has indicated a willingness to extend, alter or demolish the garage, this is not part of the proposal before me. As there is insufficient space for two parking spaces, I do not consider that the appellant's suggestion of a condition to require the provision of such spaces prior to the commencement of development would be reasonable.
13. Consequently, I cannot be satisfied that the proposed parking arrangements at No 27 would be acceptable and that no significant adverse effect would be caused to highway safety in Hilton Close. As such, the proposal would conflict with LP Policy T3.

Conclusion

14. Although I have found in favour of the appeal in relation to the design and materials of the proposed dwelling, this does not outweigh the harm that I have identified with regard to the prominent parking area, the cramped nature of the proposed development and the effect on highway safety.
15. For the reasons given above and, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

KR Seward

INSPECTOR