



Appeal Decision

Site visit made on 22 August 2018

by H Miles BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2018

Appeal Ref: APP/V2255/W/18/3197160
27 Woodlands Road, Sittingbourne ME10 4SP

- 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 Mrs Margaret Thomsett against the decision of Swale Borough Council.
 - The application Ref 17/505462/FULL, dated 8 October 2017, was refused by notice dated 22 December 2017.
 - The development proposed is demolition of existing domestic garage and construction of new two bedroom two storey dwelling house with integral garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the course of the consideration of this appeal the revised National Planning Policy Framework (the revised Framework) has been published. I have invited both main parties to submit comments on the relevance of the revised Framework to this case. I have taken any comments received into consideration and I have assessed this appeal in light of the revised Framework.

Main Issue

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

Reasons

4. Woodlands Road is characterised by mainly semi-detached, two-storey, residential dwellings set along both sides of the entrance road and around a turning circle. The evidence submitted shows that the pattern of development includes gardens increasing in size from the entrance to the road to the furthest edge of the turning circle. The extent of these gardens is visible in glimpsed views between the houses. 27 Woodlands Road has a relatively generous garden and benefits from a gated lane to the rear, providing vehicle and pedestrian access to School Road. The land slopes down from the house to the bottom of the garden, where a single storey garage is located. The appeal site is formed in the main by the end part of this garden.
5. School Road is bordered on one side by the mainly low level buildings and external circulation, parking and play space of Canterbury Road Primary

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School, and single storey garage blocks on the other. The land slopes down from the appeal site towards the junction with Canterbury Road. As its name suggests, I find the character of the road is strongly influenced by the school. Whilst the scale and building line of the school buildings vary, their characteristics of being public buildings, set in their own grounds, being single storey where they front the road, and having play and circulation areas providing relief to the built form are a positive part of the pattern and form of School Road. The low level, modest nature of the garages does not detract from this civic context. This results in School Road having a positive community and practical character, contributing to the local distinctiveness and sense of place found in this road.

6. Large residential buildings are sited at the end of School Road on the corner with Canterbury Road (with one under construction at the time of my site visit). However I observed that their relationship is primarily to the main Canterbury Road and additionally due to their distance, they do not form the immediate setting of the appeal site. I did not observe any other residential properties fronting School Road.
7. The proposed dwelling would front School Road. A house sited with its principal elevation, access and therefore main relationship with School Road would not be in keeping with either the civic form or pattern of the school nor the utilitarian garages in this road. Further, its two-storey residential form would be at odds with the single storey characteristic of School Road. Due to the topography of the land, its height would be exacerbated by the higher land levels at the appeal site. This factor would also increase its prominence, drawing attention to its uncharacteristic appearance. For these reasons I find that the dwelling would be harmful to the character and appearance of School Road.
8. The gardens to Woodlands Road form a distinctive pattern, increasing in size away from the entrance to the road. 27 Woodlands Road sits in a part of the road with longer gardens, and subdividing this plot would significantly decrease the remaining garden to the host property. The resultant small sized plot would be out of keeping with the pattern of development identified above and as such would be harmful to the character and appearance of the area in this respect. Whilst I note that the gardens are not easily visible in the streetscene, nevertheless, the subdivision of the plot would cause harm to the intrinsic character of the area.
9. My attention has been drawn to a recent appeal decision¹ and LPA decision² where permission was refused for new dwellings. The full details of these cases are not before me and therefore I afford these specific circumstances limited weight. Nonetheless, I note that in both cases the sites are somewhat distant from the appeal site and, from the evidence presented I determine that, the site in the appeal decision has no road frontage, and the site in the LPA decision was fronting a residential road. Therefore these decisions do not alter my assessment above.
10. Therefore I conclude that the proposed development would have a harmful effect on the character and appearance of the area contrary to the aims of Policy CP4 of Bearing Fruits 2031 The Swale Borough Local Plan (2017) (The

¹ APP/V2255/A/14/2216263

² 17/502909

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Local Plan) which, in part, requires high quality design that is appropriate to its surroundings and Policy DM14 of the Local Plan which, amongst other things, requires that development should reflect the positive characteristics and features of the locality and be of a design that is appropriate to the location.

11. I have had regard to all policies that have been provided in the submitted evidence and the Framework however I find that those listed above are most relevant to this case.

Other Matters

12. I note the comments from Natural England that this proposal may result in impacts on coastal Special Protection Areas and Ramsar Sites, and that mitigation measures are recommended to be secured to mitigate the potential effects of development. I am not presented with any mechanism to secure this and therefore I have no certainty that this mitigation would occur. However, given my conclusions in respect of the main issue, it is not necessary to pursue this further in this case.
13. I have considered the sustainability of the site in terms of its proximity to Sittingbourne town centre shops services and public transport, and that this would be a small windfall site that would provide housing. However these issues are not sufficient to mitigate the harm to the character and appearance of the area identified above.

Conclusion

14. For the reasons above, this appeal is dismissed.

H Miles

INSPECTOR