



Appeal Decision

Site visit made on 6 June 2019

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH

an Inspector appointed by the Secretary of State

Decision date: 20th June 2019

Appeal Ref: APP/V2255/W/19/3224525
240-248 High Street, Sheerness ME12 1UP

- 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 B Dedushi against the decision of Swale Borough Council.
 - The application Ref 19/500059/FULL, dated 5 January 2019, was refused by notice dated 5 March 2019.
 - The development proposed is front extension to increase dining area and create a store room.
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Decision

1. The appeal is allowed and planning permission is granted for front extension to increase dining area and create a store room at 240-248 High Street, Sheerness ME12 1UP in accordance with the terms of the application, Ref 19/500059/FULL, dated 5 January 2019, and the plans submitted with it.

Procedural Matters

2. The application is retrospective, with the extension having been built.
3. I have also dealt with another appeal (Ref: APP/V2255/Z/19/3224020) on this site. That appeal is the subject of a separate decision.

Main Issue

4. The main issue in this appeal is the effect of the appeal development on the character and appearance of the area.

Reasons

5. The appeal site is a former petrol station occupying the corner of a street junction on the approach to Sheerness Town Centre. On the site currently is a hand car wash operation and café situated within a building which had been in use as the petrol station shop. The canopy, set on two columns, which had stood over the petrol pumps in front of the shop has been removed and a front single-storey pitched-roof extension built broadly in the same location. Also part of the appeal scheme is a smaller single storey element of the extension forming a store, to one side of the main forward projection of the development.
 6. While the extension is a more enclosed form of development than the canopy it replaces, it occupies a smaller footprint and sits within a large and mostly open forecourt some 10 metres from the highway. Therefore, it does not unacceptably harm the feeling of spaciousness and openness of the junction setting.
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7. I accept that the existing shop building was of a simple design. However, the added extension is not particularly complicated in its features or jarring in its appearance. While the main extended element possesses a pitched-roof, it is modest and rises only slightly above the flat roof of the original structure. It is smaller in footprint than the original building and appears sub-ordinate to it. The element of the extension serving as a store is low-key and assimilates well into the overall development through the use of common materials.
8. Consequently, I do not share the Council's view that the development results in a cluttered appearance. Further, the appearance of the development benefits from the removal of the canopy, which in the absence of other petrol station paraphernalia, would have produced a confusing and incongruous collection of structures on the site given its current use.
9. The development is prominent given its visibility near the junction location. However, for the reasons above, its appearance is satisfactory and is not out-of-keeping with the mixed commercial and residential setting, which has a variety of building forms contributing to its character.
10. Therefore, I do not find that the appeal development causes harm to the character and appearance of the area. As such it is not in conflict with Policies CP4, DM14 and DM16 of the Swale Borough Local Plan (2017) which together seek to ensure that proposals, including extensions, are of good design and protect character and appearance. The development is also in accordance with paragraph 130 of the National Planning Policy Framework, which has the same objectives.

Conclusion

11. The appeal development accords with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal is allowed.

Andrew Walker

INSPECTOR