



Appeal Decision

Site visit made on 19 January 2016

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 4 February 2016

Appeal Ref: APP/V2255/W/15/3137042

The Ponderosa, 48 Keycol Hill, Bobbing, Kent ME9 8ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr & Mrs D Blythe against the decision of Swale Borough Council.
- The application Ref 15/500815/OUT, dated 9 February 2015, was refused by notice dated 8 September 2015.
- The development proposed is a two storey detached three bedroom dwelling and new single storey pitch roof double garage within ground of 48 Keycol Hill.

Decision

1. The appeal is dismissed.

Preliminary matter

2. The application was submitted in outline with approval also sought at this stage for the access. All other matters are reserved for later determination. However, the description of the application specifies that the development would be a two storey detached three bedroom dwelling with a single storey pitch roof double garage for No 48 Keycol Hill. I have dealt with the appeal on that basis, treating the proposed site plan as illustrative only.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the street scene; and
 - highway safety in relation to the access arrangements.

Reasons

Character and appearance

4. The appeal site lies on the northern side of Keycol Hill within a cluster of residential development which lines both sides of the A2. The site itself forms part of the large curtilage of No 48 which lies to one side of the property and currently contains a single storey triple garage. This would be demolished and replaced with a two storey house together with a new double garage for No 48.
5. The site is already occupied by built development, albeit a large single storey garage. Although the properties on either side, Nos 48 and 46, are bungalows, these are unusual with the majority of houses nearby being two storey

www.planningportal.gov.uk/planninginspectorate

Appeal Decision APP/V2255/W/15/3137042

detached or semi-detached properties. In particular, to the west of No 48, on the road frontage in front of No 46 and on the southern side of Keycol Hill there is two storey development.

6. The proposed house would be at a higher level than the road but that is the case with all the properties on the northern side of the road. The house would not however be prominent when approaching along Keycol Hill from the west as it would be set behind the building line of No 48 and the two storey houses which form Nos 50 – 60. From the east the house would be screened by the pair of semi-detached cottages on the road frontage, Nos 42/44.
7. There would be some loss of openness when passing immediately in front of the site. At present the site forms part of a short length of single storey buildings comprising the large bungalow No 48, the existing triple garage and a single storey pool building which would remain. Next to this are Nos 46 and 40, two bungalows on much higher ground with higher ridgelines as a result. However, the loss of openness would be minimal because the new house would have a relatively narrow frontage, would be set well back from the road, and would remain flanked by single storey buildings - a replacement double garage and the retained swimming pool building.
8. The appellants' statement comments that, notwithstanding the description of the development, they would also be willing to accept a bungalow on the site. This would reduce the loss of openness compared to a two storey house and would also be acceptable.
9. For these reasons the proposal would not cause significant harm to the character and appearance of the street scene and would comply with Policies E1 and E19 of the Swale Borough Local Plan 2008 (the Local Plan). These require development to protect and enhance the built environment, to be well sited and of a scale, height, massing and appearance that is appropriate to the location and surroundings.
10. The site lies outside the defined built-up area of Sittingbourne in the Local Plan. However, the site forms part of an established residential area, does not comprise open countryside or form part of a low density housing area which might warrant protection as an integral part of the wider rural environment. Consequently, there would be no conflict with the aims of Policies E6, SH1 and H2 of the Local Plan which seek to protect the quality, character and amenity value of the wider countryside by resisting new housing outside defined built-up areas.

Highway safety

11. Approval is sought for the access as part of this application. The proposed dwelling would share an existing access drive from the busy A2 with three other properties, Nos 44, 46 and the host property 48. However, the highway authority considers that the existing access is not suitable to accommodate additional traffic without increasing its width to 4.8 m for at least 10 m from the carriageway. This would allow two vehicles to pass in the access drive and avoid vehicles either waiting in the highway or reversing into it, thus causing disruption to passing traffic.
12. The appeal site does not include the land necessary to widen the access in this way and it would comprise operational development outside the scope of the

Appeal Decision APP/V2255/W/15/3137042

current application. Although the land on one side of the access is within the appellants' control no plan has been submitted to clearly demonstrate that a satisfactory access could be provided. In these circumstances the ability to provide safe access to the site has not been proven and a Grampian condition would not be appropriate.

13. For these reasons it has not been established that the access arrangements would be satisfactory in relation to highway safety. The proposal could therefore potentially cause a highway danger contrary to Policies E1 and T1 of the Local Plan which require development to provide safe vehicular access and not intensify the use of an existing access unless it can be improved to an acceptable standard.

Conclusion

14. The proposal would not result in significant harm to the character and appearance of the street scene and would provide the benefit of an additional dwelling. However, the outstanding concerns in respect of highway safety mean that the appeal should be dismissed.

David Reed

INSPECTOR