



# Appeal Decision

Hearing held on 7 February 2008

by **A S Newman** BA MA DipTP MRTPI

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

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**Decision date:**  
**31 March 2008**

---

## Appeal Ref: APP/X2220/A/07/2040720

Field End, 9 Granville Road, Walmer, CT14 7LU

- 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 M F Estates against the decision of Dover District Council.
- The application Ref DOV/07/00038, dated 8 January 2007, was refused by notice dated 6 March 2007.
- The development proposed is erection of a two-storey building containing nine flats, with revised access, car and cycle parking following demolition of existing building.

---

## Decision

**I dismiss the appeal.**

## Appraisal

1. In this outline application, access, scale and layout are to be considered at this stage. The submitted plan is illustrative as regards the other details shown.
  2. I consider that the main issues are firstly the effect on the character and appearance of the area, secondly the effect on living conditions for neighbouring residents, and thirdly whether adequate car parking would be provided.
  3. In the Kent and Medway Structure Plan, policy QL1 requires all development to be well designed and of high quality, responding positively to the local surroundings. Policy DD1 of the Dover Local Plan requires amongst other matters that development should be acceptable in terms of the spatial and visual character of the surrounding area.
  4. On the first issue, in addition to the policies mentioned above I have given some weight to the Walmer Design Statement. It was prepared with the support of the Parish Council, and although it is not supplementary planning guidance, it has been adopted, following public consultation and amendment, by the District Council as a material consideration in determining planning applications. Of course such a document concentrates on the local perspective, and national planning requirements such as making more efficient use of urban land must also be taken into account, but it does provide a useful analysis of character. It divides Walmer into "character areas" and the appeal site is in the Liverpool Road area. It is "an area of substantial, individually designed houses set amongst trees and large gardens". That is an apt description of the appeal site and its neighbours.
-

5. The appellant points out that the existing house at the appeal site is of undistinguished design, particularly the flat roofed 2-storey side extension, and does not make good use of its plot. The proposed building would better reflect the character of the road. In scale and design detail, it would be comparable to houses such as No 10 opposite, which is photographed in the Design Statement as an example of a "substantial property". Granville Road has seen significant development of varying styles over the years, including the new culs-de sac at Knoll Place and Willingdon Place.

6. The difficulty with this approach is that despite these changes, Granville Road retains the character described in the Design Guide. This would be the first redevelopment of a plot to provide flats. That is not necessarily an objection in itself. The proposed building, as illustrated, might just about pass as a large house and further attention could be given to details of design at the reserved matters stage. However it is also proposed to lay out most of the front garden, apart from corners each side, to provide 14 car parking spaces. The building would be set further back than the existing house to accommodate this.

7. The appellant says that the car park would be screened by boundary fencing and landscaping, but the change in character would still be obvious from the road, such as through the site entrance. To my mind, this together with the size of building would stand out as a discordant feature in the road. The proposal would harm the character and appearance of the area without being on a large enough scale to establish its own character. Although a few houses in Granville Road have laid out much of their front garden for parking, that is not generally a feature of this area and is quite different from the substantial, formally laid out car park proposed here. I consider that this harm outweighs, at this location, the benefit that would accrue from securing housing gain in the urban area.

8. Turning to the issue of living conditions, as described above the building would be set further back than the existing house to accommodate the car park in front. The side wall would be about 1 m further from the side of No 11 but would extend more than 4 m further back, with a further projection of some 4.5 m in the middle part of the building. I viewed the site from inside No 11 and its garden and noted that at ground level shrubs along the boundary would partly screen the building. From bedrooms there would be an oblique view of the building but the principal attractive outlook down the garden to the Marke Wood recreation ground would be unaffected. However the bulk of building and the degree of projection behind the back of No 11 would be perceived as oppressive and in my view that is a further objection to the project. Loss of sunlight would be limited to late evenings in the summer and would not be a significant objection in itself.

9. Occupiers of No 11 also draw attention to the view they would have of the proposed car park from the front of the house. I consider that is only a valid objection as part of the general harm to the street scene already identified. It is said that use of the car park would generate noise and disturbance, but one would expect some traffic noise in front of the house anyway. Another concern is over the potential use of the communal rear garden, but just as much disturbance could arise if the existing house at No 9 were occupied by a large family.

10. The main house at No 7 is sited about 16 m from the boundary with No 9, though there is also a conservatory at the side. There is considerable tree and shrub planting along the boundary. Although the occupier drew my attention to

the principal windows along the side of the house, the proposed flats would be far enough away, and seen through the trees, such that there would not be significant harm from the effect on outlook. There would be some loss of morning sunlight through the trees, as the flats would be roughly east-south-east of No 7. But No 7 would retain a high standard of daylight and sunlight, so I would not have found that to be a decisive objection. I conclude that the proposal would not have an unacceptably adverse impact on No 7.

11. Occupiers of No 10 and other houses opposite refer to the change in outlook that they would experience. I do not consider that to be a convincing objection. The relationship would be a normal one of facing buildings across the road. The point is only valid as part of the general impact on the street scene already examined.

12. Turning to the question of car parking, at the hearing the appellant confirmed that the flats are intended to be 6 two-bedroom and 3 one-bedroom, and that a condition specifying flats sizes would be acceptable. The maximum parking requirement set by supplementary planning guidance to the Structure Plan would then be 15 spaces, compared to 14 proposed. On that basis the Council accepted at the hearing that this shortfall of one space would not justify refusal of planning permission. I agree with that. Local residents maintained an objection on this ground, but this is an urban site with reasonably good access on foot, by cycle and by bus to local shops and services. Government policy is to encourage use of such modes and reduce dependence on the private car. There would be 1.5 parking spaces per flat and I am satisfied that that would be fully adequate.

### **Conclusion**

13. In my opinion the decisive objection to this scheme is the discordant impact on the established street scene of the proposed flats, and in particular the front car parking. That would have a harmful effect on the character of the area which would be contrary to the development plan policies referred to and which outweighs the general policy support for increased urban densities. I have also identified some harm to living conditions for neighbouring occupiers. For these reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed. My formal decision is set out above.

*Andrew S Newman*

Inspector

## **Appearances**

### **For the local planning authority:**

Mr M Goddard BA DipTP DMS MRTPI      Goddard Hester, c/o Dover District Council  
Planning Dept, Council Offices, White Cliffs  
Business Park, Dover, Kent, CT16 3PJ

### **For the appellant:**

Mr M Simmonds BA DMS MRTPI      Kent Planning, Stoneleigh House, The Tram  
Road, Folkestone, Kent, CT20 1QR  
Mr M Febery      Director, MF Estates  
Mr K Barker AMASI ICIOB      Keith Barker Design, The Old Auction Rooms,  
Marine Walk Street, Hythe, Kent, CT21 5NW

### **Interested persons:**

Mr J Peall JP BTP MRTPI      J P Planning Consultants, Marlborough, Hillcrest  
Road, Kingsdown, Kent, CT14 8DZ (representing  
Mr & Mrs Norman, Mr and Mrs Sturt and Dr  
Pond)  
Mr R Sturt      7 Granville Road, Walmer, Kent, CT14 7LU  
Mrs K Norman      11 Granville Road, Walmer, Kent, CT14 7LU  
Mr F Grove      4 Granville Road, Walmer, Kent, CT14 7LU  
Dr J Pond      10 Granville Road, Walmer, Kent, CT14 7LU  
Mr J Pond      10 Granville Road, Walmer, Kent, CT14 7LU  
Mrs J M Stephens      20 Granville Road, Walmer, Kent, CT14 7LS

### **Documents submitted at the hearing:**

1. List of persons present at the hearing.
2. Letter of notification and list of addresses to whom it was sent.
3. Committee report and photographs concerning 19 Granville Road, submitted by the appellant.
4. Correspondence concerning restrictive covenant, submitted by Mr Sturt.

### **Plans submitted at the hearing:**

- A. Site survey plan with existing and proposed buildings superimposed.

### **Photographs submitted at the hearing:**

1. Photograph submitted by Mr Sturt.