

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

---

**Item D1**

**Application to construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193**

---

A report by Head of Planning Applications Group to Planning Applications Committee on 11<sup>th</sup> April 2006.

Application by Kent County Council for the erection of a Disability Discrimination Act compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

Recommendation: Planning permission be refused

**Local Member(s): Mr. M. Vye**

**Classification: Unrestricted**

**Site**

1. 88 Whitstable Road is located on the main Canterbury to Whitstable Road, the A290. The property consists of a semi-detached Gothic/Tudor revival houses built in the late 19<sup>th</sup> Century. The design and detailing of the property is typical of the period with the use of good quality materials with excellent attention to historic details. The front garden of the property remains that of a domestic property, given its current use as a small scale Adult Support Unit for people who require one-to-one care. The house forms part of the Whitstable Road Conservation Area, which has an entirely residential feel that derives from the character and design of the Victorian houses that constitute a vast proportion of the area. The property also lies to the Northwest of a Grade II Listed Building, Walnut Cottage, 86 Whitstable Road. *A site location plan is attached.*

**Proposal**

2. The application has been submitted for the erection of a Disability Discrimination Act (DDA) compliant access ramp to the front of an existing Adult Support Unit at 88 Whitstable Road. This ramp is proposed to eliminate the current stepped access from the pedestrian footway into the property, by providing an access ramp that would be suitable for wheelchair usage.

**Planning History**

3. There have been no recent planning applications registered at 88 Whitstable Road.

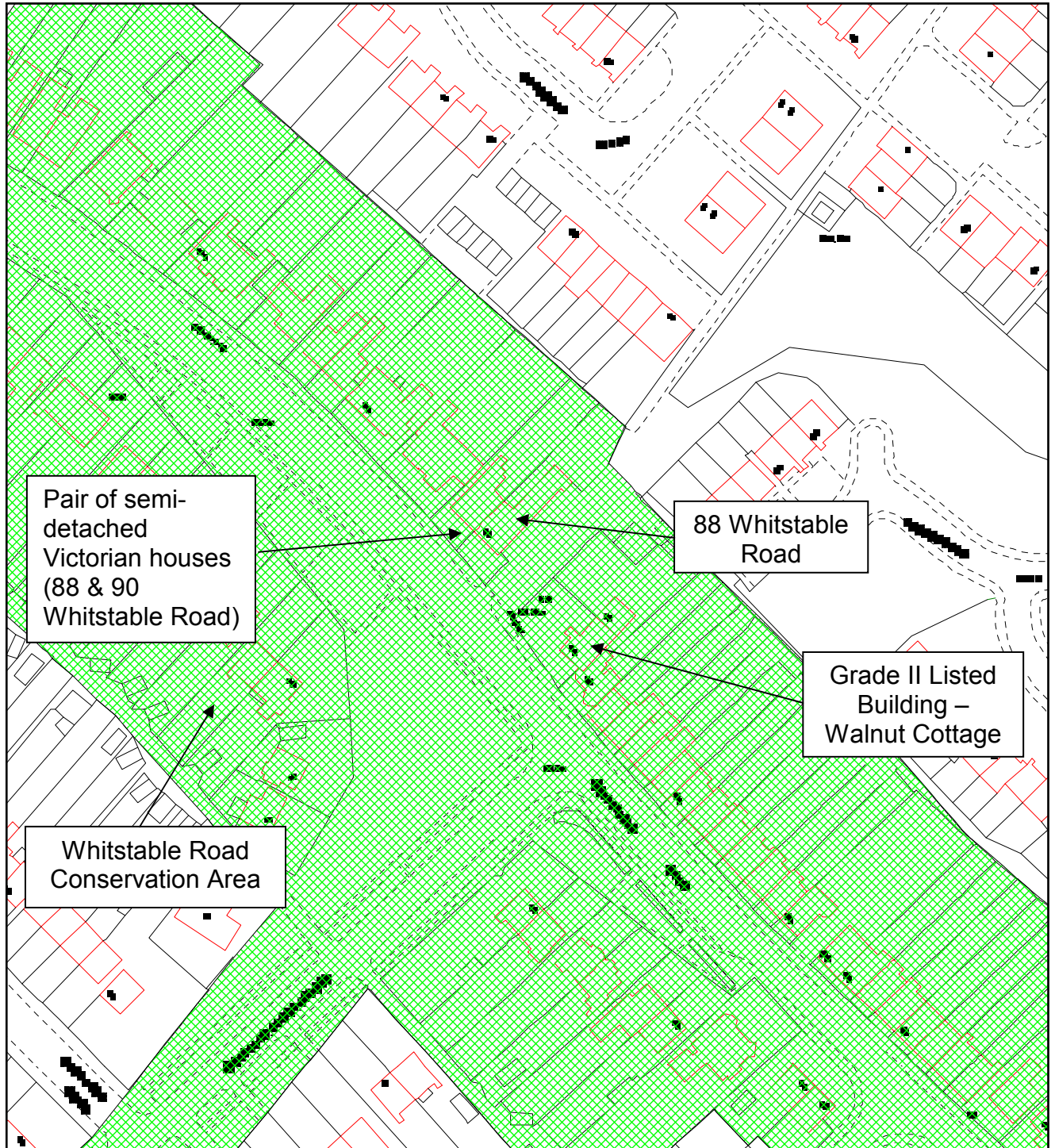
**Planning Policy**

4. The Development Plan Policies summarised below are relevant to consideration of the application:

## Item D1

To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

### Site Location Plan



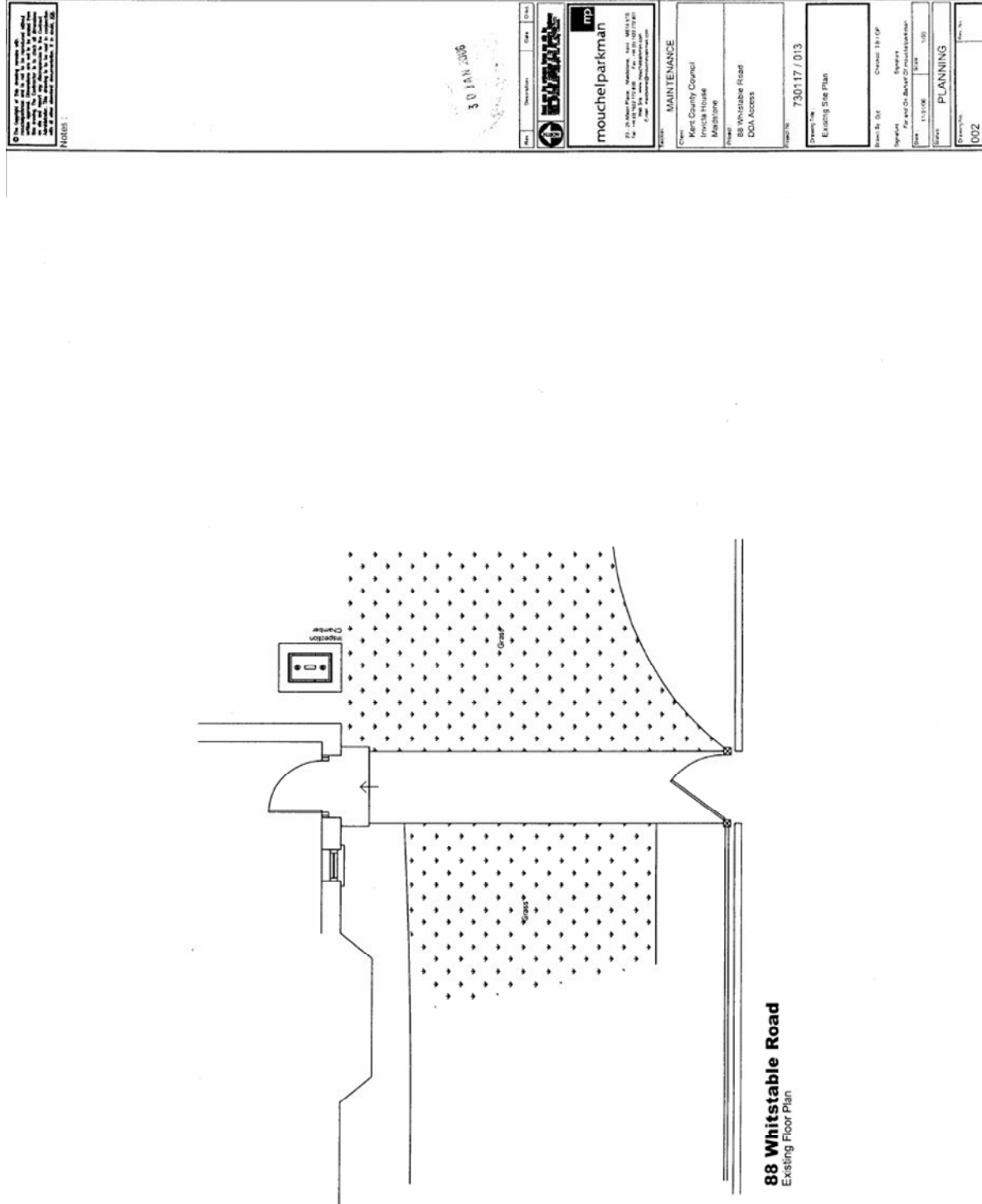
This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Scale 1:1250

# Item D1

To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

## Existing Floor Plan

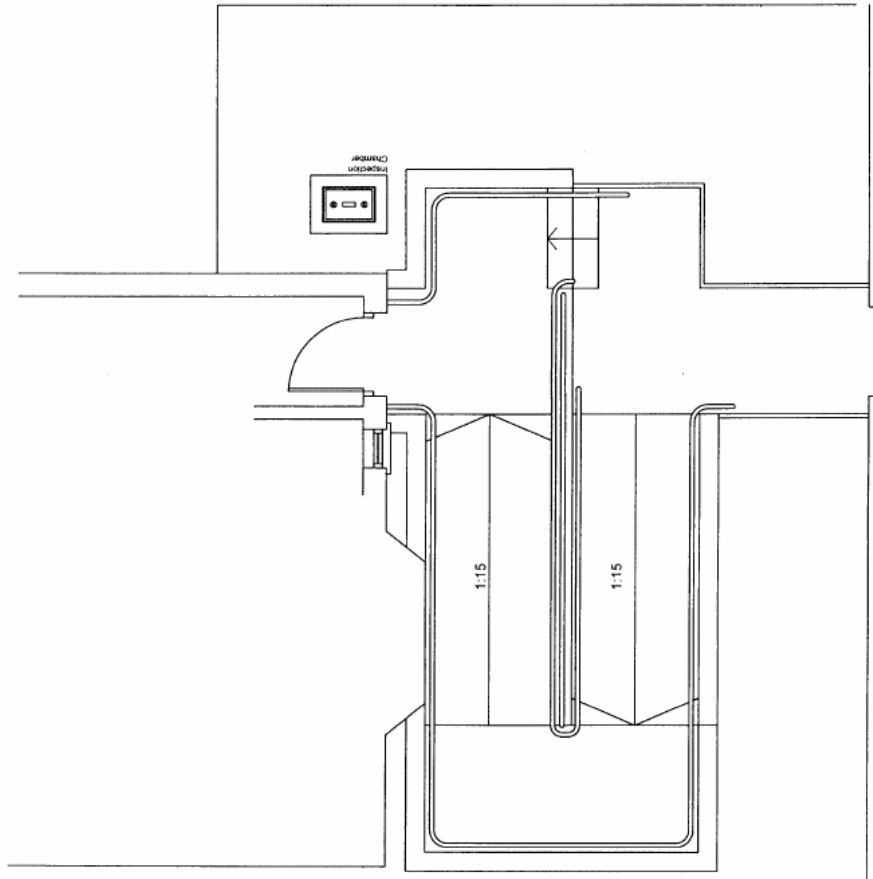


# Item D1

To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

## Proposed Floor Plan

<p><b>NOTES:</b></p> <p>1. The Council of this authority, acting with the consent of the Council, has resolved to grant the above application subject to the conditions set out in the schedule to this notice. The applicant is advised that the Council has no power to grant the application if the conditions are not accepted.</p> <p>2. The Council has no power to grant the application if the applicant fails to comply with the conditions set out in the schedule to this notice.</p>	<p>30 JAN 2006</p>	<table border="1"> <tr> <th>Date</th> <th>Description</th> <th>Drawn</th> <th>Checked</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	Date	Description	Drawn	Checked				
	Date	Description	Drawn	Checked						
<p><b>mouchelparkman</b></p> <p>25 St John Street, Maidstone, Kent, ME14 5ES          Tel: 01622 617740 Fax: 01622 617741          E-mail: <a href="mailto:enquiries@mouchelparkman.com">enquiries@mouchelparkman.com</a></p>		<p><b>MAINTENANCE</b></p> <p>Client: Kent County Council          Project Name: Ipswich House, Maidstone</p>								



**88 Whitstable Road**  
Proposed Floor Plan

## **Item D1**

### **To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193**

---

#### (i) The adopted 1996 **Kent Structure Plan**:

Policy ENV15 The character, quality and functioning of Kent's built environment will be conserved and enhanced. Development should respect its settings. Development which would be incompatible with the conservation or enhancement of the character of settlement, or detrimental to its amenity or functioning, will not normally be permitted.

Policy ENV17 The primary policy towards Conservation Areas is to preserve or enhance their special character and appearance. Development that would harm that special character will not normally be permitted

Policy ENV19 Listed buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced

Policy S2 The quality of Kent's environment will be conserved and enhanced and measures taken to minimise any adverse impacts arising from development.

Policy S9 Has regard for the need for community facilities and services

#### (ii) The September 2003 deposit draft of the **Kent & Medway Structure Plan**:

Policy QL1 Development should be well designed and respect its setting.

Policy QL7 Carries forward and amplifies Policy ENV17 of the Adopted Plan

Policy QL9 Carries forward and amplifies Policy ENV19 of the Adopted Plan

Policy QL13 Carries forward and amplifies Policy S9 of the Adopted Plan.

#### (iii) The adopted **Canterbury City Council Local Plan 1998**:

Policy C1 Applications for proposals in or around Canterbury will be judged against the primary planning objective of preserving or enhancing the character or appearance of the city Conservation Areas and the landscape setting of the city.

Policy C3 Within the Canterbury Conservation Areas, new development should feature high quality design and incorporate the use of traditional building materials.

Policy D9 The City Council will safeguard the character, appearance and setting of buildings which are listed as being of special architectural or historic interest

Policy D16 In and adjoining a Conservation Area, development that does not preserve or enhance the character or appearance of the area will be refused

## Item D1

### To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

---

Policy D17 New development in a Conservation Area should respect its surroundings in terms of height, massing, scale, form and materials

(iv) The deposit draft **Canterbury City Council Local Plan 2002:**

Policy BE1 The City Council will permit proposals of high quality design which has regard to the following:

- the environmental, sustainability and visual impact;
- the landscape character of the locality and the way the development is integrated into the landscape;
- the local townscape character;
- the privacy and amenity of the existing environment

Policy BE7 Development within, affecting the setting, or views into and out of Conservation Area, should preserve or enhance all features that contribute positively to the area's character or appearance, in particular:

- the impact of the proposal on the townscape;
- the need for the development

### Consultations

7. **Canterbury City Council** has raised an objection to the proposal as follows:

“The property and it's neighbour are a pair of very fine Gothic/Tudor revival houses built in the late 19<sup>th</sup> Century. The design and detailing is typical of the period with the use of good quality materials with excellent attention to details. The character of the front garden remains that of a domestic front garden. The house forms part of the character of the Whitstable Road Conservation Area, which has an entirely residential feel that derives from the character and design of those Victorian houses. The proposal shows an over-engineered ramp with walls and railings that would fill most of the front garden. Overall the design is rather ugly and would be seriously detrimental to the setting of the house and the Conservation Area in general. Unfortunately there seems to be no way in which this design can be amended to make it acceptable and we would therefore encourage you to investigate forming a ramped access to the rear of the property where the ramps needed to achieve the change of level may be acceptable of being accommodated in a more discreet fashion.

Regretfully the City Council must object to the proposal as submitted”

**Divisional Transport Manager** has raised no highway objections to the proposal.

### Local Members

8. The local County Member, Mr. M. Vye, was notified of the application on the 7 February 2006.

### Publicity

9. The application was publicised by the posting of a site notice, an advertisement in the Canterbury Extra and the individual notification of 15 neighbouring residential

## Item D1

### To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

---

properties. The site notice and advertisement indicate that the development is within a Conservation Area and is likely to affect the setting of a Grade II Listed Building.

#### Representations

10. Letters of representation from two neighbouring properties have been received raising objections to the proposal. The main points can be summarised as follows:
- The building in question is a pair of semi-detached, architect designed, late Victorian houses in a Conservation Area. The proposed DDA compliant access ramp will obliterate most of the front garden and dramatically affect the appearance and setting of both houses. We also understand that the Laburnum tree in the front garden may be at risk;
  - The ramp, as proposed, would extend right up to the boundary of our property and at that point will be above ground. We feel this is unnecessarily intrusive;
  - We fully appreciate that people with disabilities need easy access to the property, however there are other ways of achieving this which would have less visual impact in a Conservation Area. There is, for example, very easy access to the rear of the building through the side gate which could give access to the back door with a ramp. Alternatively, a ramp could be built along the side of the building from the car parking area giving access to the front door. Both these alternatives would help to maintain the visual integrity of the building and would be more sympathetic to its setting than the current proposals;
  - Fairly major piece of construction involving significant removal of the garden and subsequent negative impact on the overall appearance of the two semi-detached houses;
  - Very little Victorian architecture is left in Canterbury, especially given recent losses to the South of the City and everything possible should be done to preserve what little remains.

#### Discussion

##### Introduction

11. The proposal involves the construction of a disabled persons access ramp within a Conservation Area and adjacent to a Grade II Listed Building. The access ramp is proposed to eliminate the current stepped access from the public footway into the front entrance of 88 Whitstable Road. The area in question is a residential area along the A290 Whitstable Road to the Northwest of Canterbury City Centre. The reason for this application being reported to Committee is due to objections from Canterbury City Council and two neighbouring residential properties. The application needs to be considered in the context of the relevant Development Plan Policies and with regard to any other material planning considerations arising from consultation and publicity.

##### Need for disabled access

12. Under the terms of the Disability Discrimination Act (DDA) public buildings are required to be suitable to allow disabled persons to access them easily. At present the Adult Support Unit has a stepped approach that does not comply with the DDA Act and therefore following a KCC access audit this planning application has been proposed.

## Item D1

### To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

---

13. The DDA access ramp proposed has been designed to allow wheelchair access from the pedestrian footway to the front entrance of the Adult Support Unit. This access has been proposed through the removal of the step-up into the front garden and step-up into the front entrance door (*see appendix figure 1*) through the creation of a two-tier access ramp which would allow wheelchair users to easily manoeuvre their way into the building.
14. The applicants have stated in response to objections from Canterbury City Council that alternative locations have been investigated into which would have less dramatic impact on the Victorian properties, the Conservation Area and the adjacent Listed Building. It has been stated that the rear access to the property would not be appropriate to provide disabled access, due to the uneven surface upon approach from the side access road and the fact that once inside the rear door of the property, the internal layout does not allow for wheelchair movements within the property. Therefore this means of access is deemed to be unsuitable.
15. The side of the building has also been considered as a means of installing disabled access. This is also deemed to not be suitable, as the side of the building surface is uneven. In addition to this, the side access road is not part of the land owned by 88 Whitstable Road.

#### Impact on Conservation Area

16. Whilst it is widely accepted that the provision for disabled access is required at the above mentioned property, it is not considered that the need for this access is an overriding issue and would counteract the impact on the adjacent properties and the Conservation Area as a whole. It is acknowledged that the ramp has been designed to conform to current British Standards and Building Regulations, however it appears on outset that the ramp is over-engineered with walls and railings which fill most of the front garden. That would not comply with Policies D16 and D17 of the Adopted Canterbury City Council Local Plan as the proposal would not preserve or enhance the character and/or appearance of the Conservation Area. The proposal would, due to its scale and massing, fill a large proportion of the front garden of the Adult Support Unit, in what is a predominantly residential area. Therefore, in my opinion this would be out of character to the surrounding Whitstable Road Conservation Area. The loss of a garden and the over-engineering of an extensive access ramp would significantly detract from the overall character and feel of the area.
17. Given that this proposal would lead to the loss of a domestic front garden in a predominantly residential part of the Conservation Area, I would raise an objection on the grounds that the development would lead to a detrimental impact on the setting of the pair of Victorian houses and the Conservation Area in as a whole.

#### Impact on adjacent Listed Building

18. Walnut Cottage, 86 Whitstable Road, is a Grade II Listed Building and lies approximately 40 metres from the front garden of 88 Whitstable Road. The two properties are separated by an access road (*see appendix figure 1*), used as an area for staff parking for the Adult Support Unit.
19. Given the considerable distance between the two properties and the access road in between, the impact on the Listed Building would be minimal compared to the impact



## Item D1

### To construct a DDA compliant access ramp to the frontage of 88 Whitstable Road, Canterbury – CA/06/193

---

generally on the surrounding Conservation Area and the setting of the pair of Victorian properties themselves. However, given the proposed scale of the access ramp and the proportion of the front garden which it would occupy, in my opinion the development would, if permitted, be indirectly detrimental to the setting of Walnut Cottage.

#### Impact on residential amenity

20. It should be noted that concerns have been raised regarding the size of the access ramp and proximity to the adjoining semi-detached property. The change in level from the proposed access ramp would lead to overlooking of the adjoining property as the floor level of the ramp would be significantly higher than ground level on the boundary to the front garden of 90 Whitstable Road. The ramp, with substantial walls and railings would be highly visible from the roadway, the adjacent Grade II Listed Building, and the adjoining residential property.

#### **Conclusion**

21. In conclusion, I am satisfied that there is a need for disabled access to 88 Whitstable Road under the Disability Discrimination Act and Policy S9 for the provision of community facilities in the Adopted Local Plan. Notwithstanding this need, as defined in the Adopted Local Plan, I consider that the overall visual impact of this development would be detrimental to the setting of the Conservation Area, the setting of the pair of semi-detached Victorian town houses and the adjacent Grade II Listed Building. The development would, due to its oppressive scale and massing, cover most of the front garden, which would overwhelm and not respect its setting in terms of the surrounding Conservation Area, as stated in Policy ENV15 of the Adopted Local Plan. Accordingly, I would raise an objection to the proposal and would recommend that the application be refused.

#### **Recommendation**

22. SUBJECT TO any further views received by the Committee Meeting, I RECOMMEND that PLANNING PERMISSION BE REFUSED on the following grounds:

- the proposed access ramp, due to its scale and massing, would have a detrimental impact on the surrounding Whitstable Road Conservation Area and the adjoining semi-detached property, contrary to Policy ENV17 of the Kent Structure Plan and Policy D17 of the Adopted Canterbury City Council Local Plan;
- the proposed development would give rise to an increased amount of intrusive visual clutter from the over-engineered and inappropriately scaled access ramp that would detract from the character of the front gardens of properties in the Whitstable Road Conservation Area, contrary to Policy D16 of the Adopted Canterbury City Council Local Plan.

Case officer – Julian Moat	01622 696978
----------------------------	--------------

Background documents - See section heading
--