



Appeal Decision

Site visit made on 6 November 2018

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 14 November 2018

Appeal Ref: APP/K2230/D/18/3209889

1 Rowan Close, Meopham, Gravesend, DA13 0EJ

- 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 & Mrs Hall against the decision of Gravesham Borough Council.
 - The application Ref: 20180291 dated 21 March 2018 was refused by notice dated 5 June 2018.
 - The development proposed is demolish existing garage to extend the garden with extended 2m high fence enclosure; erection of a two storey side extension with pitched roof and dormers; erection of a single storey side extension to form a bay window; erection of single storey porch to front entrance; alteration to an existing bay window, construction of a dormer to north roof slope; formation of a vehicle access onto Tradescant Drive.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage to extend the garden with extended 2m high fence enclosure; erection of a two storey side extension with pitched roof and dormers; erection of a single storey side extension to form a bay window; erection of single storey porch to front entrance; alteration to an existing bay window, construction of a dormer to north roof slope; formation of a vehicle access onto Tradescant Drive at 1 Rowan Close, Meopham, Gravesend DA13 0EJ in accordance with the terms of the application, Ref: 20180291 dated 21 March 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 17-031-DW-1000; 17-031-DW-001; 17-031-DP-001; 17-031-DP-002; 17-031-DP-005; 17-031-DP-301; 17-031-DP-302; 17-031-DP-303; 17-031-DP-304; 17-031-DP-305; 17-031-DP-306; 17-031-DP-307; 17-031-DP-308.
 - 4) Prior to the first occupation of the extension hereby permitted, parking spaces shall have been provided clear of the highway and within the site for the parking of two vehicles, in accordance with details which shall have first been submitted to and approved in writing by the Local

Planning Authority. The parking spaces shall thereafter be permanently retained at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

- 5) Prior to its erection, details of any extended garden fencing, including siting, shall have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details.
- 6) The extension hereby permitted shall not be occupied until the window at first floor level on the south elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened and thereafter shall be so retained.

Preliminary Matters

2. The description of development was amended with agreement between the parties at the application stage and this is the description of development which I have also used.
3. I have noted and agree that the plan 17-031-DW-001 was identified incorrectly as 17-031-DW-301 on the decision notice.
4. The revised National Planning Policy Framework (Framework 2018) came into force on 24 July 2018 and from that date policies within the Framework 2018 are material considerations which should be taken into account in decision making. The Council's reason for refusal referred to the National Planning Policy Framework 2012 extant at the time of the decision, and both the Appellant and the Council referred to it in their documentation. From reading all the information before me from the Appellant and the Council, I am satisfied that the revised Framework 2018 carries forward the main policy areas from the earlier Framework, as relevant to this appeal.

Main Issues

5. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing dwelling and of the local area, and
 - b) The effect of the proposal on the living conditions of the adjoining neighbours at No 61 Tradescant Drive, with particular regard to outlook.

Reasons

Issue a) Character and Appearance

6. The appeal property is a detached property on the corner of Rowan Close and Tradescant Drive, with its front door and separate garage served off Rowan Close. It is within a predominantly residential area, comprising both detached and semi-detached housing dating from a similar period, but many have been subsequently altered and extended. The design of the appeal property with its steep half hipped roof form is replicated a number of times in the immediate local area.

7. The proposal would introduce a number of alterations and design changes to each elevation, but primarily a two storey extension to the south elevation, closest to No 61 Tradescant Drive (No 61) together with a porch and new dormer window above on the north elevation, facing Rowan Close.
8. The proposed two storey extension would be set back from the east elevation, facing Tradescant Drive behind the bay window (as proposed to be altered) with a lower roof ridge than the main house. Although there would be an area of flat roof, this would not in my view be a dominant feature given the overall roof design. By following and adapting some of the design features found in the existing house, it would in my view be seen as a subservient addition which would respect the character and appearance of the existing dwelling.
9. The addition of a modest porch would not be out of scale or proportion with the existing dwelling and the proposed design would be in keeping with the design style of the main dwelling. On this elevation, a central dormer would be added, set with very generous margins to the edges of the roof and would add visual interest to the large roof slope. I have noted that the Council does not have records for the various dormer extensions in the local area, but nonetheless, dormers are part of the street scene.
10. As a result, I also consider that the dwelling, as proposed to be extended would sit comfortably in relation to the design and style of the neighbouring properties and would in that regard respect the character and appearance of the locality. The two storey extension would reduce the open gap between the property and No 61 but there is a variety in the spacing and relationship of adjoining properties in the vicinity and with the remaining openness around the property I do not consider that the proposal would appear cramped or detract from the general pattern of development in the local area. Given its location within an established residential area and the scale of the proposals, I am satisfied that there would be no harm to the Meopham Downs Woodlands landscape area in that it would continue the traditional character of this local built environment.
11. I therefore conclude that the proposal would respect the character and appearance of the existing property as well as the local area. There would be no conflict with Policy CS19 of the Gravesham Local Plan Core Strategy (Core Strategy) as well as the Framework 2018, both of which seek a high standard of design which respects the local context.

Issue b) Living Conditions

12. The adjoining detached property at No 61 has no windows on the side flank elevation facing towards the appeal property and its outlook is therefore primarily towards the front and the rear. The appeal property sits further forward in its plot than that part of No 61 nearest the common boundary. However, although the proposed extension would be forward of the front elevation of No 61 nearest the common boundary, given the relationship between the two in terms of both the width of the remaining open gap and depth of forward projection, I do not consider that the outlook for the neighbours from their front facing windows would be materially affected. The elevation facing towards the enclosed garden, with the exception of the bay window at ground floor level would not extend any further than existing. As a result, I do not consider that there would be any adverse effect on the neighbours in this respect.

13. I therefore conclude that the living conditions of the neighbours at No 61 would not be materially affected, with particular regard to loss of outlook. There would be no conflict with Policy CS19 of the Core Strategy and the Framework 2018, both of which seek a high standard of design which protects the amenities of existing and future occupiers.
14. Given the relationship between the two properties, including the siting of the extensions as well as the windows in the neighbouring property, there would also be no harm to the living conditions of the neighbours at No 61 in terms of loss of light or loss of privacy. Other neighbours are sited a good distance from the appeal property and I am satisfied that the proposal would have no material impact on their living conditions, with reference to outlook, light as well as privacy.

Other Considerations

15. Although it was not raised as a reason for refusal, I have noted that the Council's Highway Development Management Officer recommended refusal because the proposed garage would be substandard in size in relation to the Council's standards and the proposal would need to demonstrate the availability of two parking spaces with direct access to the highway.
16. I agree with the Appellant that disregarding the proposed garage, the requirement of two parking spaces could still be achieved through the retention of the existing drive to provide an additional parking space. There may be alternative solutions given the size of the plot and this matter could be satisfactorily addressed by condition.
17. None of the submitted plans appear to show the precise line of the proposed garden fence but that again is a matter which can be addressed through a condition.

Conditions and Conclusion

18. In terms of conditions, I agree with the standard conditions proposed by the Council. Matching materials with the existing dwelling are required in the interests of protecting the character and appearance of the existing property and of the local area. I also agree that a condition to list the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
19. I have already set out that conditions require to be imposed to secure two parking spaces clear of the highway for highway safety reasons and in respect of the details of the proposed 2m fencing, which is missing from the submitted proposals in order to respect the character and appearance of the local area.
20. The Council has also requested, and I agree, that the proposed window serving the bathroom at first floor level on the south elevation should be in obscure glass to prevent any overlooking of the neighbouring property. However, this is the only window which I consider needs to be controlled in this way in the interests of protecting the living conditions of neighbours.

21. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR