

Appeal Decision

Site visit made on 27 September 2016

by David Spencer BA(Hons) DipTP MRTPI

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

Decision date: 29 September 2016

Appeal Ref: APP/A2280/D/16/3154034

34 Shakespeare Road, Gillingham, Kent ME7 5QN

- 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 Andy Cox against the decision of Medway Council.
 - The application Ref MC/16/1004, dated 20 February 2016, was refused by notice dated 21 June 2016.
 - The development proposed is a single storey and two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey and two storey rear extension at No. 34 Shakespeare Road, Gillingham, Kent ME7 5QN in accordance with the terms of the application, Ref MC/16/1004, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250 scale received by the local planning authority on 2 March 2016; Site block plan at 1:500 scale received by the local planning authority on 17 March 2016; and revised drawings stamp dated 26 May 2016.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of No.34 Shakespeare Road and its surroundings.

Reasons

3. No.34 Shakespeare Road is a mid-terrace property in an area of Gillingham where a number of these terraced dwellings have part single and part double storey extensions on the rear elevations of varying sizes and arrangements. A small number of dwellings have flat roof rear dormers to utilise the loft space including a sizeable rear dormer at No.34 and a similar sized dormer directly adjacent at No. 36 Shakespeare Road.
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4. It is notable that the adjoining dwellings at Nos.32 and 36 Shakespeare Road both have appreciably deep rear extensions that extend well beyond the line of a modest, contemporaneous two storey rear extension at No.34. As such the area immediately to the rear of No.34 is effectively tunnelled between the tall double storey rear extensions to Nos. 32 and 36. The appeal proposal would, in large part, mirror the stepped rear profile of its neighbouring properties, particularly No. 36, such that the height and scale of the proposed two storey element and the depth of the single storey extension would appear harmonious with the adjoining extended forms of the neighbouring properties.
5. The design of the appeal proposal has been revised to include a half pitch to reduce the extent and visibility of the flat roof to the double storey extension. In profile the totality of the flat roof element would only sit marginally above the mono-pitch of the two storey extension to No.32 and would be set back from the rear pitch roof and dormer profile of No.36. Accordingly, the modest scale of the proposed flat roof would appear neither prominent nor unduly incongruous, particularly in the context of the flat roof dormer elements of both No.34 and No.36, such that the appearance of No.34 and the wider group composition with the much altered Nos.32 and 36 would remain unharmed.
6. The proposed roofline of the double storey extension would abut with the existing rear dormer. I accept that this juxtaposition would not be characteristic in this terraced residential area. However, any moderate harm arising from the modest flat roof element abutting the rear dormer would be outweighed by the benefit of the appeal proposal in providing usable extended accommodation and by the overall design of the scheme tying together the variety of extended forms at Nos. 32, 34 and 36 such that there would be, on balance, an overall improvement to the appearance of the surrounding area.
7. I therefore conclude that the appeal proposal would not have a significantly harmful effect on the character and appearance of No.34 Shakespeare Road and its surroundings. By virtue of being satisfactory in mass, proportion and layout and by respecting the scale and appearance of the host and adjoining buildings it would not conflict with Policy BNE1 of the Medway Local Plan 2003. The appeal proposal would also accord with the objective of the National Planning Policy Framework to secure high quality design.
8. For the reasons set out above, and having considered all other matters before me, I conclude that the appeal should succeed. Other than the standard time limit condition, I consider a condition controlling the external materials and finishes to the extension necessary in the interests of local character and appearance. I am also imposing a condition that the development is carried out in accordance with the approved plans, which is considered necessary for the avoidance of doubt and in the interests of proper planning. The Local Planning Authority has also suggested a condition that the proposed roof area of the extensions should not be used as an external amenity area. Given their position towards private rear garden areas, and in particular the height of the second storey roof, I consider such a condition necessary to safeguard the privacy of the occupiers of nearby property and I have imposed it accordingly.

David Spencer

Inspector.