
Appeal Decision

Site visit made on 9 November 2016

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 16 November 2016

Appeal Ref: APP/H2265/D/16/3158405

19 Clearway, Addington, West Malling ME19 5BP

- 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 Ms Laura Braybrook against the decision of Tonbridge and Malling Borough Council.
 - The application Ref TM/16/01377/FL, dated 27 April 2016, was refused by notice dated 23 June 2016.
 - The development proposed is an extension to rear and create rooms to first floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the street scene.

Reasons

3. Number 19 Clearway comprises a semi-detached bungalow on the northern side of the road. It has a single storey conservatory at the rear. Although bungalows are the predominant building type along the road, there are detached and semi-detached two storey properties as well and overall there is a variety of architectural styles and use of materials throughout.
4. Dealing first with the rear first floor addition, the appellant believes it would not strictly be a dormer within the terms of the Council's Policy Guidance Annex PA4/12 as it would extend beyond the existing roof. It is also considered that it would be well designed and would not over dominate the building. Whilst I agree that it would not fall within the written terms of the Policy Annex as it is set out in relation to dormers, it seems to me that the resulting design is precisely what the guidance is seeking to avoid. In my view, the overall size, depth and flat roof nature of the first floor extension would result in a box like addition which would be at odds with the restrained hip roof design of the existing bungalow and would undoubtedly dominate it, notwithstanding that it would be set in slightly on either side and at the rear.
5. Whilst I agree that there would only be a glimpsed view from the street scene, in the gap between the appeal property and No 18 Clearway, it would be clearly visible from the rear gardens of neighbouring properties on either side. In that

respect, the appearance of the rear would not be unlike that of the rear of No 21 Clearway which has a similar box like roof addition and clearly illustrates in my view, the visual harm which would result were the current proposal to proceed. I do not consider that the existence of such an extension should justify a further proposal which would cause similar harm.

6. Even if Policy Annex PA4/12 is not strictly applicable because of doubts as to whether the rear addition would be a dormer or not, I note that saved Policy P4/12 of the Council's Local Plan 1998 says that extensions to residential properties will not be permitted if they would result, amongst other criteria, in an adverse impact upon the character of the building in terms of form scale and design. Policy CP24 of the Council's Core Strategy 2007 (CS) sets out similar design provisions amongst other environmental criteria. In my view the first floor rear addition would fail to comply with the design provisions of both Policies for the reasons above.
7. I have been referred to other examples where the Council has approved extensions in the locality and whilst I accept the need for consistency of decision making, each application must be decided upon the particular issues material to the individual proposal. Thus such factors as individual site relationships, site characteristics and planning history all have a bearing on individual decisions. Accordingly, the various examples have not been decisive in this instance in reaching my findings above.
8. Turning to the impact from the street scene, the Council is concerned that the change from a hip to gable roof would be incongruous in the road where a hipped roofslope is predominantly found. I understand those concerns but noted that whilst there are many hipped roofs, there are also a number of gable ended roofs along the road. The ridge of the roof is also not particularly high and slightly lower than that of the adjoining property, No 18 Clearway. I do not consider therefore that the change from a hip to a gable would be particularly noticeable in the street scene. Finally, I also take note that in isolation, and subject to certain conditions, the change from a hip to a gable roof would be permitted development and I therefore attach weight to such a fallback position. For a combination of these reasons I find that the somewhat diverse character of the street scene would be preserved with the change in roof form and that there would therefore be no conflict with Policy P4/12 referred to above, nor Policy CP24 of the Council's CS and Policy SQ1 of the Managing and Economic Development Plan Document 2008, in that the proposed design would respect the site and its surroundings.
9. The Council has raised no objections to the single storey ground floor rear extension, the proposed front rooflights or the front porch and I see no reason to take a different view.
10. Whilst I have found some elements of the proposal to be acceptable, the size and extent of the first floor rear addition would detract from the character and appearance of the host dwelling for the reasons stated and conflict with adopted Development Plan Policy as referred to above. Accordingly, the appeal should be dismissed.

Kim Bennett INSPECTOR