

Appeal Decision

Site visit made on 28 November, 2016

by C. Jack, BSc (Hons) MA MA(TP) MRTPI

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

Decision date: 5th December, 2016

Appeal Ref: APP/A2280/D/16/3158439

37 Brendon Avenue, Walderslade, Chatham, Kent, ME5 8JG

- 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 Richard Barker against the decision of The Medway Council.
 - The application Ref MC/16/1937, dated 20 March, 2016 was refused by notice dated 4 August, 2016.
 - The development proposed is a first floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension at 37 Brendon Avenue, Walderslade, Chatham, Kent, ME5 8JG in accordance with the terms of the application, Ref: MC/16/1937, dated 20 March, 2016, 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: ODA/1139/01 and ODA/1139/02-A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. 37 Brendon Avenue is an end of terrace house, typical of the area, which is predominantly residential in character. In the vicinity of No 37, the built form general consists of short rows of terraced properties laid out perpendicular to the road. No 37 has a large single-storey extension to the side, adjacent to the road. It is proposed to construct a first floor extension above the existing side extension. The extension would be set a little below the ridge height of the main house and would be narrower than the existing single-storey extension below.
 4. Brendon Avenue slopes quite steeply as it passes by No 37, affording clear public views of the site, including the existing extension. The proposed extension would also be clearly visible in the street scene. However, the extension would not be
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unduly prominent in these views because it would be seen against the backdrop of No 37 and surrounding housing, and in the context of the various other extensions and alterations evidence in the area. I note that many extensions in the area are single-storey. However, there are also examples of two-storey extensions, including in roadside positions. Therefore, while the proposed first floor extension would be of a different design to other examples, it would be generally in keeping with the established character and built-form of the area.

5. The first floor extension would be set in from the side boundary and would have a barn-hipped roof, which would further aid in reducing its bulk and therefore its effect in the street scene, which would not be significantly prominent or obtrusive. Brendon Avenue is sufficiently wide to give a good sense of separation between the terraces on either side. Furthermore, opposite the appeal site there is a set of single-storey garages and a parking area, and this gives a more open feel at this point than elsewhere along the road. While the first floor extension would somewhat reduce the degree of openness at this point, the extent of this would be limited by the size of the extension and the backdrop in which it would be viewed, and would not have a significant detrimental effect on the character of the area.
6. For these reasons, I consider that the proposed development would not be harmful to the character and appearance of the area. Accordingly, I find no conflict with saved Policy BNE1 of the Medway Local Plan 2003, which sets out general principles for built development, including respecting the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area.

Other Matters

7. I have considered the concerns raised by interested parties in respect of local character and appearance and noted the petition against the proposal. I have afforded some weight to this, but this is not sufficient to outweigh my findings above in relation to the development plan. I have also considered that the proposed extension would be larger and less set down into its site than some other examples of side extensions in the area, including at 70 Sundridge Drive, which lies on the corner with Brendon Avenue. The context of No 70 is different to No 37, being set somewhat below the level of Brendon Avenue, which has facilitated a different design solution. Nonetheless, this also does not alter my findings above, which relate to the proposal and the site context of the case before me.

Conditions

8. In addition to the standard three year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans, as this provides certainty. I have also imposed a condition relating to external materials as this is necessary to ensure the satisfactory appearance of the development.

Conclusion

9. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR