

Appeal Decision

Site visit made on 19 December 2016

by Timothy C King BA(Hons) MRTPI

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

Decision date: 16th January 2017

Appeal Ref: APP/L2250/D/16/3160321

Hungar Down, Lane from Parsonage Farmhouse to junction with Hill Lane and Danton, Arpinge, CT18 8BQ

- 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 Peter Christian against the decision of Shepway District Council.
 - The application Ref Y16/0555/SH dated 19 May 2016, was refused by notice dated 15 July 2016.
 - The development proposed is '*Demolition of existing garage and replacement with pitched roof extension.*'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey front and side extension, creation of a first floor terrace and the raising and remodelling of a section of roof at Hungar Down Lane from Parsonage Farmhouse to junction with Hill Lane and Danton, Arpinge, CT18 8BQ, in accordance with the terms of the application Ref Y16/0555/SH, dated 19 May 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: Drawing Nos. EMA-2016-42-01 Rev 02, EMA-2016-42-02 Rev 02 and EMA-2016-42-03 Rev 02.
 - 3) The materials to be used in the construction of the external surfaces of the roof extension hereby permitted shall be in accordance with the schedule specified on the application form.

Procedural Matter

2. At my site visit I noted that the garage referred to on the application form has since been demolished. Notwithstanding this I have reworded the proposal's description to more closely focus on the actual development involved.
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Main Issue

3. The main issue in this appeal is the proposal's effect on the character and appearance of the area, with particular regard to its location within an Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal dwelling is accessed via a narrow lane and, set on high ground, it falls outside of any settlement boundary and can be considered as an isolated development. Set on a flattish piece of land the level drops away sharply to the south beyond a row of trees and then climbs again behind the site, northwards. The dwelling itself is a post-war bungalow, of unremarkable appearance, which has been significantly extended behind its frontage. A substantial, detached, timber-framed store building, markedly greater in height than the bungalow, is set to the north side of the access driveway.
5. The proposal, in essence, seeks to make alterations to the bungalow; the most prominent element being the significant raising of a section of the roof to allow for habitable accommodation within the roofspace. The Council, in its reason for refusal, considers that this, along with previous additions to the bungalow, would substantially alter its character and appearance. To this end, the Council cites Policy BE8 of the Shepway District Local Plan Review (LP), which, amongst other things, comments that alterations and extensions should reflect the scale, proportions roof-line and detailing of the original building. To my mind the existing bungalow, which does not display any particular cohesion in design, does not contribute visually to its setting. Indeed, the detached store building, despite its substantial size and height, gives more of a rural feel to the site. In this context I consider that heightening the bungalow's roof would serve to partly remedy what is currently a visual imbalance where, unusually, the ancillary store is predominant and the bungalow somewhat detracts from the store's more rural character. However, I am also mindful of the site's wider setting.
6. The site lies within both an AONB and also a Special Landscape Area and, in such setting, the protection of the natural beauty of the countryside takes on a particular importance. LP Policies CO1, CO4 and CO21 add weight to this protection as does Policy CSD4 of the Shepway Core Strategy (CS) which stresses that development should not jeopardise the protection of distinctive local landscapes, especially where these support the setting of an AONB. I have given this full and due regard but it appears to me that the Council, whilst acknowledging in its case report that the bungalow is not a "highly visible feature within the surrounding rural landscape", has placed too great an emphasis on the character and appearance of the existing bungalow and the fact that it has already been significantly extended rather than explain how exactly the proposal would impact widely.
7. On the above point it must be borne in mind that it was previously seen fit to grant planning permission for the bungalow's enlargement. Moreover, with only the roof of the bungalow's front section heightened, its existing sprawl to the rear would be broken up and the resultant visual feature would enliven its appearance. Although the new roof might be viewed from afar the distance is considerable and, besides, from the site's approach the new roof form would

far better relate visually to the store which is situated in the foreground. The proposed use of materials would also assist in this regard.

8. The Council's case report takes a contrary view and implies that the heightened roof would automatically be unacceptable in this location, commenting that it would be visible from country lanes to the south, potentially impacting on long distance views. I disagree with the term 'impact' for the reasons I have explained, and consider that the proposal would, instead, represent an improvement to the bungalow which, given the lie of the land, would not mean that the AONB would be unduly affected by the development.
9. I have had regard to Paragraph 60 of the National Planning Policy Framework which advises that architectural styles should not be imposed or innovation stifled, whilst also having regard to the promotion or reinforcement of local distinctiveness. In this particular instance, apart from the surrounding landscape, no such distinctiveness exists due to the bungalow's isolation. The detached store is the only immediate reference point and I consider the proposed heightened roof, the small terrace, and also the slight increase in the bungalow's footprint, appropriate to both this and the wider contextual setting.
10. I thereby conclude that the proposal would not be harmful to the character and appearance of the surrounding area and it would not materially conflict with the aims of either LP Policies BE1, BE8, CO1, CO4 and CO21 or CS Policy CSD4.
11. For the above reasons, and having had regard to all matters raised, the appeal succeeds. In terms of conditions, in the interests of certainty I impose a condition requiring that the development be implemented in accordance with the approved plans. A condition is also imposed requiring that the materials specified be used to ensure a satisfactory appearance.

Timothy C King

INSPECTOR