
Appeal Decision

Site visit made on 17 January 2017

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 27 January 2017

Appeal Ref: APP/H2265/W/16/3161553

12 Brooklands Road, Larkfield, Aylesford, Kent ME20 6RN

- 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 Gearing against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/16/02135/FL, dated 11 July 2016, was refused by notice dated 5 September 2016.
 - The development proposed is demolition of existing side larder and garage outbuilding and erection of new 2-bedroom dwelling with garden and parking.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing side larder and garage outbuilding and erection of new 2-bedroom dwelling with garden and parking at 12 Brooklands Road, Larkfield, Aylesford, Kent ME20 6RN in accordance with the terms of the application, Ref TM/16/02135/FL dated 11 July 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Except as otherwise varied by conditions, the development hereby permitted shall be carried out in accordance with the following approved plans: 242/101, 242/102, 242/103.
 - 3) No development shall take place until full details of the finished level, above ordnance datum, of the ground floor of the proposed dwelling, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved level.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows shall be constructed on the north elevation.
 - 5) No development shall commence until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted and the side elevation of No. 12 following demolition have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
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- 6) The dwelling hereby approved shall not be occupied until space has been laid out within the site and for the occupants of No. 12 in accordance with drawing no. 242/101 for 3 cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.

Reasons

2. The character of the area is defined largely by the surrounding immediately post war dwellings which are mostly terraced and semi-detached and laid out in a compact estate layout typical of its time. The estate has a distinct cohesive character and appearance because of the similarity of the elevational treatment of the houses and their steeply pitched roofs. However, there is some variety. Terraced houses have prominent gable ends on their front elevation, and some dwellings been extended with ground floor rooms. The area is described in the Medway Gap Character Areas Supplementary Planning Document (SPD) *E1 Brooklands Road Area* as having a strong cohesive character created by repeat building design and uniformity of materials.
3. The appeal site consists of an area at the side of No. 12, currently mostly occupied by the original ground floor kitchen element of the existing dwelling and a shed. These would be demolished. The proposed new dwelling would be relatively small and would be much lower than No. 12 due to the sloping ground. Simple gable ends would face the road and the rear garden. In my view, the difference in basic form and architecture of the appeal scheme would add interest and variety without detracting from the area generally.
4. The Council does not object to a new dwelling in principle but would prefer an extension to the existing semi-detached pair in a matching style. However, a facsimile extension would create a terrace of 3 with a distinctly stepped and lower end of terrace dwelling, a type of development that itself would appear inharmonious. The proposed modest dwelling would be strongly subservient in massing and height and would not compete with the predominant architectural style. It would not challenge perception of the existing 'sense of place' to a meaningful extent. It would be of more contemporary appearance than other houses on the estate, but this would not have a harmful effect on the character and appearance of the area if the finishes used are sympathetic. This is a matter which can be addressed by imposing appropriate conditions.
5. I have taken account of the availability of car parking which is restricted due to the narrow nature of the estate roads. Only one off street space would be available to the new dwelling, but it seemed to me that there is sufficient space for visitors parking elsewhere in Brooklands Road without necessarily mounting the kerb. This matter was not a reason for refusal.
6. As such the proposed development would not conflict with the Tonbridge and Malling Borough Council Local Development Framework Core Strategy of 2007 (CS) which advises in policy CP24 that all development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings. It would also comply with the aims of policy SQ1 of the Managing Development and the Environment (Part of the Local Development Framework for Tonbridge and Malling) Development Plan Document of 2010, which requires that development reflects the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the SPD, and enhances the character and local distinctiveness of

the area. There would be no conflict with the design quality aims of CS policy CP1 or those of the National Planning Policy Framework set out in paragraph 58.

Conditions

7. Conditions are imposed to control the finishes on the new dwelling and the making good of No. 12, in the interests of the character and appearance of the area. The level of the ground floor needs to be approved in view of the sloping site. A restriction on any openings in the north elevation is necessary in the interests of the privacy of neighbouring occupiers. Car parking spaces must be provided and retained for that purpose, in the interests of highway safety. Finally, the development needs to be carried out in accordance with the approved drawings for the avoidance of doubt and in the interests of good planning.

Conclusion

8. For the above reasons, the appeal should succeed.

Paul Jackson

INSPECTOR