

Appeal Decision

Site visit made on 18 January 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 1st February 2017

Appeal Ref: APP/V2255/D/16/3163835

36 The Glen, Minster, Sheerness, Kent ME12 2SD

- 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 Simpson against the decision of Swale Borough Council.
 - The application Ref 16/506437/FULL, dated 9 August 2016, was refused by notice dated 27 October 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; and the effect of the proposal on the amenities of the occupiers of the neighbouring property, No 38 The Glen.

Reasons

Character and appearance

3. The appeal property, No 36 The Glen, comprises a semi-detached chalet style bungalow located on the north eastern side of road. It is one of two pairs of similarly designed bungalows which adjoin each other on this side of the road, but elsewhere, the character is diverse, with a mixture of mainly detached bungalows and two storey houses of varying designs. The adjoining property to the south east, No 38 The Glen, is a large detached house which stands slightly forward of No 36 in the street scene.
4. The appellant refers to the diversity in character of the area in support of the proposal and comments that a number of properties are close together. Reference is also made to No 38 being different in design and therefore there would be no terracing effect.
5. With regard to the latter point, I agree that because of the significant difference in design between the appeal property and No 38, together with the latter being set slightly forward and also higher, the proposal would not result in an apparent terracing effect. However, in my view, the key issue is whether the proximity of the proposed development to No 38, together with its scale and bulk as a result of two storeys of accommodation being proposed, would harm the character of the area.

6. In that respect, the area is generally spacious and open through a combination of open front gardens, spaces between properties, and a number of bungalows and therefore low building heights. Although there are some examples of properties with narrow gaps between them, they tend to be mainly bungalows so that built form does not dominate the street scene. In my view, the proposed extension right up to the boundary with No 38, with the latter also close to its own side boundary, and with two very differently designed properties, would result in a cramped and awkward arrangement within the street which would harm its generally open character, particularly as accommodation is proposed on two levels. I noted that there is an apparently similar example directly opposite the appeal site where a detached house has been extended right up to the common boundary with the adjoining bungalow. To my mind however that has resulted in a poor visual relationship between the two and only serves to demonstrate the similar harm that would be caused with the current proposal. It is not a good reason therefore, to add to that harm within the street scene.
7. The Council has adopted planning guidance in its document 'Designing an Extension – A guide for householders – Planning and Development Guidelines No5' (PG) which seeks to avoid terracing effects by recommending separation distances of 2 metres from side boundaries and stressing that 'houses should not be physically or visually linked, especially at first floor level' (para 5). It is not directly comparable in this situation because I have found that there would be no terracing effect created. I also acknowledge the appellant's point that such guidance is just that, and cannot be followed in all situations. However, the principles of the guidance, in terms of maintaining some degree of openness and particularly at first floor level, seem applicable here.
8. I note that the Council is also concerned about loss of part of the driveway for parking from a visual amenity point of view. However, there would still be on-site parking available on the frontage, which is similar to the majority of properties along the road, and there is no evidence before me regarding any on-street parking pressure. Accordingly I attach little weight to that particular concern.
9. Notwithstanding the above, the proposal would harm the character and appearance of the area. It would therefore be contrary to Policies E1, E19 and E24 of the Council's Local Plan 2008 (LP) in that its scale design and appearance would not be appropriate to the locality and it would not maintain the character of the street scene.

Living conditions

10. There are no first floor windows in the north western flank wall of No 38, and only one ground floor window which is already largely obscured by the proximity of the high fence on the common boundary between the two properties. I do not consider therefore that there would be any harm to amenity in terms of loss of light to No 38. The Council advises the extension would extend 2.4 metres beyond the existing main rear elevation of the appeal property, which would be in excess of the 1.8 metres that the PG recommends. Given that No 38 is set slightly forward, the extension would only extend slightly beyond the rear elevation of that property, but not to any significant degree and I am satisfied that the relationship would be acceptable as a result.

There would therefore be no adverse effect upon the living conditions of the occupiers of No 38 and no conflict with Policy E24 of the LP as a result, in that there would be no harm to residential amenity.

Conclusion

11. Although I have found the proposal to be acceptable in some respects, the overall design and siting of the proposed extension in such close proximity to No 38 would harm the character and appearance of the area for the reasons and conflict with policy as set out. I acknowledge the appellant's point that it would improve living space and living conditions and thus in those respects would be consistent with objectives within the National Planning Policy Framework. However, in this instance I attach greater weight to the visual harm that would result.
12. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR