

Appeal Decision

Site visit made on 9 February 2017

by R J Maile BSc FRICS

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

Decision date: 21st February 2017

Appeal Ref: APP/V2255/D/16/3163772

11 St Anns Road, Faversham, Kent, ME13 8RH.

- 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 W and Mrs L Roalfe against the decision of Swale Borough Council.
 - The application, ref: 16/506386/FULL, dated 10 August 2016, was refused by notice dated 19 October 2016.
 - The development proposed is: "Rear extension including demolition of rear garden w.c. and partial removal of ground floor external walls to existing kitchen, fitting out of basement to provide a bedroom, study, shower/w.c. and alterations to lightwells."
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue here is the effect of the proposed rear extension upon the living conditions of existing and future residents of 12 St Anns Road.

Reasons

3. No. 11 St Anns Road comprises a two storey, late Victorian terraced house. It contains a basement area that has very limited natural lighting, together with a two storey back addition housing a kitchen at ground floor level. The adjoining property to the south (no. 10) has a flat roofed single storey extension abutting the common boundary with the appeal site and which contains a bathroom/w.c.
 4. The proposed single storey extension would wrap around the back addition and extend towards the matching structure of no. 12. This has a similar layout with a kitchen window facing towards the appeal site. Due to the topography of the site the houses are stepped down, with no. 12 being below the level of no. 11.
 5. I see no objection, in principle, to a ground floor extension at no. 11 to a point coinciding with the rearward projection of that constructed to no. 10. However, whilst I fully appreciate the benefits of creating a more spacious and better proportioned kitchen/dining area, this would involve extending the back addition at ground floor level towards the neighbouring property at no. 12.
-

6. I was able to view the proposal from the adjoining houses to either side of no. 11 as part of my site visit. From this, I am satisfied that the rear extension would not adversely impact upon the living conditions of the occupiers of no. 10.
7. The appellants have indicated their willingness to forego the raised decking to the rear, which would remove any concerns regarding loss of privacy to neighbouring residents.
8. The projection of the back addition towards the common boundary with no. 12 would, however, be clearly seen from the kitchen window of that neighbouring property. Given the elevated siting of no. 11 the top of the proposed extension, with its glazed roof, would also be plainly visible above the intervening dwarf brick wall and close boarded fence that forms the common boundary between the two houses.
9. Although the new structure would be seen against the backdrop of the existing brick wall to the back addition, its proximity to the common boundary (some 1m) would result in an over-dominant feature that would have an overbearing and enclosing effect as viewed from no. 12. The glazed roof structure would also be highly visible from the rear-facing bedroom window of that property.
10. I have therefore found upon the main issue that development as proposed, by reason of its projection towards the common boundary, would adversely impact upon the living conditions of existing and future residents of 12 St Anns Road contrary to "saved" Policies E1 and E24 of the adopted Local Plan¹ and Policies DM14 and DM16 of the emerging Local Plan².

Other Matters

11. The appeal site is situated within the Faversham Conservation Area.
12. The new extension would be located to the rear of the house, such that it would be largely screened in views from the public domain.
13. I note the comments of the Council's Design and Conservation Consultant, Mr John Woodward, who has confirmed that the current design in all its aspects, including the provision of alterations to the front and rear lightwells, would represent an enhancement to the building and its setting.
14. I agree that the lightwells are acceptable in relation to their impact upon the character and appearance of the Conservation Area and that the scheme would provide an enhancement to the accommodation on offer at no. 11. However, Mr Woodward's remit did not include an assessment of the proposal in terms of its impact upon the amenity of nearby residents.
15. I also question whether a more appropriate use of traditional materials such as those noted to the extension at no. 2 Queens Road to the rear of no. 11 would be more in keeping with this small Victorian dwelling.

¹ The Swale Borough Local Plan (adopted February 2008).

² The Swale Borough Local Plan: Proposed Main Modifications (June 2016).

Conclusion

16. For the reasons given above, I conclude that the appeal should fail.

R. J. Maile

INSPECTOR