

Appeal Decision

Site visit made on 29 March 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 6 April 2017

Appeal Ref: APP/H2265/D/17/3169427
19 Hadlow Road, Tonbridge, Kent, TN9 1LE.

- 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 Alan Watkins against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/16/03128/FL dated 17 October 2016, was refused by notice dated 13 December 2016.
 - The development proposed is for the part demolition of house and removal of garage. Proposed two and single storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the scheme on the character of the host dwelling and its immediate surroundings. The second main issue is the effect of the scheme on the living conditions of the occupiers of 21 Hadlow Road (No.21), with particular regard to visual impact, daylight and sunlight.

Reasons

Character and appearance

3. The Appeal site is located in a prominent position adjacent to the junction of Hadlow Road and Kendal Drive. The Appeal dwelling is a traditionally designed two storey dwelling with steeply pitched gable projections on all sides with tile hanging above ground floor level and prominent scalloped barge boards.
 4. Together the National Planning Policy Framework (NPPF), policy SQ1 of the Tonbridge & Malling Managing Development and Environment Development Plan Document (DPD), policy CP24 of the Tonbridge and Malling Borough Core Strategy (Core Strategy) and policy P4/12 of the Tonbridge and Malling Borough Local Plan 1998 (Local Plan), seek to ensure that new development adds to the quality of the area. Development should be well designed and of a high quality in terms of detailing. It should protect and conserve the character of the area and domestic extensions should not have an adverse impact on the character of the building or the street scene.
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5. In itself the increased depth of the west facing projecting wing would not upset the balance or appearance of the host dwelling. However, it's comparatively lower and shallow pitched hipped roof would detract from the strong gabled design of the host property. In addition, the fenestration on the rear of the single storey extension would appear cluttered and would fail to align with the first floor window on the rear elevation of the extension. The situation would be exacerbated by the cramped relationship between the northern wall of the proposed single storey extension and the adjacent external doors serving the kitchen/dining area.
6. Together these features would result in the proposed scheme appearing poorly proportioned and visually awkward. The scheme would materially harm the character and appearance of the host dwelling and the street scene, where the proposed roof would be clearly visible. This harm could not be satisfactorily dealt with by the imposition of conditions. It would also outweigh the benefits for the Appellant and his family that would result from the proposed additional living accommodation.
7. Conversely, the proposed single storey studio/bootroom would be visually discrete and in itself would preserve the character and appearance of the host dwelling and the street scene. However, as it would be physically attached to the proposed extension to the host dwelling, it is not possible to deal with it separately to the overall scheme.
8. I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host dwelling and the street scene. It would therefore conflict with policy SQ1 of the DPD, policy CP24 of the Core Strategy, policy P4/12 of the Local Plan and the NPPF.

Living conditions

8. The dwelling at No.21 has ground, first and second floor habitable room windows facing the Appeal site. The existing gable projection of the west side of the Appeal dwelling is clearly visible in the outlook from all of these windows. With the proposal the first floor extension and associated roof would totally dominate the outlook from the adjacent kitchen/dining area at No.21, having an unduly enclosing and visually overbearing impact. As a result it would materially harm the living conditions of the occupiers of No.21.
9. From the adjacent first floor bedroom/office windows it would be possible to clearly see over and to the side of the proposed extension. The second floor bedroom windows would afford open views over the extension. As a consequence, the proposal would not have a materially adverse impact on the outlook from the adjacent bedrooms/office windows. This would not however, mitigate the harm that would result from the overbearing impact the proposed scheme would have on the outlook from the kitchen/dining area window.
10. In view of the distance between the proposed extension and the adjacent windows at No.21 the proposed extension would not result in an unacceptable loss of daylight or sunlight within No.21. Accordingly the scheme would not conflict with policy P4/12 of the Local Plan, which deals with light and privacy
11. Finally, the Council has referred to policy SQ1 of the DPD, which does not specifically deal with living conditions. As such it is not relevant to the

consideration of the proposed scheme on the living conditions of the occupiers of No.21.

12. I conclude on this main issue that the proposal would have an unacceptable visual impact on the living conditions of the occupiers of No.21. The scheme would therefore conflict with policy CP24 of the Core Strategy which seeks to protect the amenity of an area.

Conclusion

13. The conclusions on both main issues amount to compelling reasons for dismissing this Appeal.

Elizabeth Lawrence

INSPECTOR